

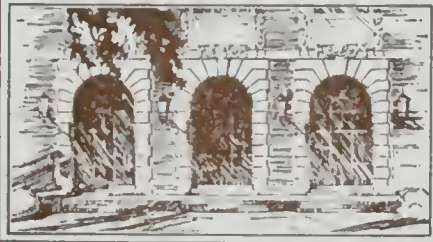
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INVENTORY OF THE COUNTY ARCHIVES OF ILLINOIS



Franklin County

(BENTON)

NO. 28

HISTORICAL RECORDS SURVEY

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INVENTORY OF THE COUNTY ARCHIVES OF ILLINOIS

NO. 28. FRANKLIN COUNTY (BENTON)

Prepared by

The Illinois Historical Records Survey
Division of Professional and Service Projects
Work Projects Administration

Sponsored by

The Governor of Illinois

* * * * *

Chicago, Illinois
The Illinois Historical Records Survey
January 1941

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FOREWORD

The Inventory of the County Archives of Illinois is one of a number of guides to historical materials prepared throughout the United States by workers on the Historical Records Survey Projects of the Work Projects Administration. The publication herewith presented, an inventory of the archives of Franklin County, is number 28 of the Illinois series.

The Historical Records Survey program was undertaken in the winter of 1935-36 for the purpose of providing useful employment to needy unemployed historians, lawyers, teachers, and research and clerical workers. In carrying out this objective, the project was organized to compile inventories of historical materials, particularly the unpublished government documents and records which are basic in the administration of local government, and which provide invaluable data for students of political, economic, and social history. The archival guide herewith presented is intended to meet the requirements of day-to-day administration by the officials of the county, and also the needs of lawyers, business men, and other citizens who require facts from the public records for the proper conduct of their affairs. The volume is so designed that it can be used by the historian in his research in unprinted sources in the same way he uses the library card catalog for printed sources.

The inventories produced by the Historical Records Survey Projects attempt to do more than give merely a list of records - they attempt further to sketch in the historical background of the county or other unit of government, and to describe precisely and in detail the organization and functions of the government agencies whose records they list. The county, town and other local inventories for the entire county will, when completed, constitute an encyclopedia of local government as well as a bibliography of local archives.

The successful conclusion of the work of the Historical Records Survey Projects, even in a single county, would not be possible without the support of public officials, historical and legal specialists, and many other groups in the community. Their cooperation is gratefully acknowledged.

The Survey program was organized by Luther H. Evans, who served as Director until March 1, 1940, when he was succeeded by Sargent B. Child, who had been National Field Supervisor since the inauguration of the Survey. The Survey Program operates as a Nation-wide series of locally sponsored projects in the Division of Professional and Service Projects, of which Mrs. Florence Kerr, Assistant Commissioner, is in charge.

HOWARD O. HUNTER
Acting Commissioner

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PREFACE

The undertaking now officially designated the Historical Records Survey Projects, was initiated nationally in January 1936, as part of the Federal Writers' Project of the Works Progress Administration, now the Work Projects Administration. In Illinois the Survey became an independent unit in August 1936, but continued to operate as part of the Nation-wide project under the technical supervision of Dr. Luther H. Evans, National Director, and under the administrative supervision of the Division of Professional and Service Projects. Dr. Evans resigned March 1, 1940, and was succeeded by the present director, Sargent B. Child. Alston G. Field, Howard E. Colgan, and Royal S. Van de Woestyne, were the first three state directors, serving until November 1, 1937, to May 16, 1939, and to October 1, 1940, respectively. On September 1, 1939, the Illinois State Library, of which Secretary of State Edward J. Hughes is State Librarian and Helene H. Rogers, Assistant State Librarian, became the sponsor of The Illinois Historical Records Survey. On January 15, 1940, this sponsorship was assumed by the University of Illinois and since January 13, 1941, by the Honorable Dwight H. Green, Governor of Illinois.

In Compiling this inventory of the archives of Franklin County, the Survey has sought to locate, describe and classify all extant county records and to make them more easily accessible to county officials, the general public, and research workers. It is believed that this inventory will be useful in the preservation of this valuable material, and as a guide to the archives wherein may be found so much important information in the field of history, sociology, political science, and economics. While some historians have realized this for many years, the general public has never been made aware of the intrinsic worth of this material. In the official documents of Franklin County are found the materials of another chapter in the story of the coming into the Illinois wilderness of settlers who created a territory and the rudiments of a simple frontier government, bought and sold land, built roads, established schools, and later founded a state.

The Illinois Historical Records Survey has proved to be of considerable assistance to local and county governments. Records have been rearranged and made more accessible, material believed to be lost has been located, indexing projects have been fostered, and county officials have been encouraged and induced to provide new equipment for their offices and better storage space for the records.

In addition, the program of the Survey has been planned to dovetail with the long-range plans of the State of Illinois for the care of state and local archives. For example, the first step, the removal of all state records to a new Archives Building, has been materially aided by the preparation of preliminary inventories by survey workers for the various state departments. Furthermore, the program of the state for the preservation of county records, including the making of microphotographic copies of all important historical documents, obviously presupposes inventories such as The Illinois Historical Records Survey is now making.

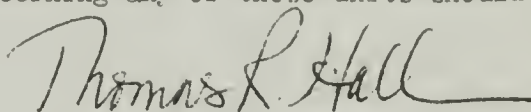
The inventories being compiled by The Historical Records Survey Projects also make possible for the first time a scientific study of the question of record destruction. Under Illinois law no records may be destroyed without specific enabling legislation. This provision, together with the tremendous increase in the quantity of records in recent years, has made it impossible for either the state or the counties to take care of the documents adequately. Hence, a certain amount of record destruction has been inevitable. If, as seems probable, a study of these inventories should lead to the enactment of adequate and sensible legislation governing the disposition of public records, these compilations may prove to be the most important contribution of the Survey.

Preliminary work on the survey in Franklin County, the twenty-eighth on the alphabetically arranged list of the one hundred and two counties in Illinois, was begun March 31, 1936, and completed June 22. The inventory forms were received at the state editorial office in Chicago July 8, 1937, and returned, June 28, 1938, to Benton in Franklin County for a recheck which was completed May 2, 1939. Abstracting and transcribing county board records, upon which much of the contents of this inventory is based, was begun January 30, 1939, and finished December 6, 1940. The inventory was taken by Pauline Culbertson, Annette Strinsky, Mary T. Runnels, and Robert Raines, under the supervision of Kenneth C. Blood.

The inventory was prepared for publication by the state editorial staff of The Illinois Historical Records Survey at Chicago under the supervision of Herbert R. Rifkind, State Editor. Preparation of the entries in Part B was done by Edith Kraemer under the direction of Martine O'Connor; the legal essays were prepared by Romeo Burwell; Frank Sarett wrote the historical sketch under the supervision of Seymour J. Pomrenze. Under the supervision of Edward J. McDonough, in charge of collation and supplementary units, research data on the housing and care of records were assembled by Fred A. Komarek and the essay written by Dominic Martin Krzywonos; and Charles J. Cooley compiled the roster of county officers and the bibliography. The inventory was indexed by Sadie Clough and Leslie Pyle, and the maps and charts were drawn by Louis J. Mader. Dorothy Herold supervised typing and mimeographing. Credit also must be given to the other members of the editorial, research, and typing staffs for their intelligent and diligent cooperation in the compilation of this inventory.

All of the officers of Franklin County cooperated in every way with the workers, and grateful acknowledgement of their aid is hereby made. I also wish to express appreciation for the assistance rendered by the officials of the Illinois Work Projects Administration and the Illinois Writers' Project. For the cover design we are indebted to the Illinois Art Project.

The various units of the Inventory of the County Archives of Illinois will be available for distribution to the governmental offices, libraries, schools, and historical societies in Illinois, and libraries and governmental agencies in other states (for list of Illinois Publications, see page 301). Requests for information concerning any of these units should be addressed to the State Supervisor.



Thomas R. Hall
State Supervisor
The Illinois Historical Records
Survey

January 28, 1941

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A. Franklin County
and
Its Records System



1. HISTORICAL SKETCH

Introduction

From the appearance of the first white settlers in 1804 to the present, the history of Franklin County may be divided into two distinct phases.

The first covers the agricultural economy established by early southern pioneers which endured for almost a century. During this period the political and cultural evolution of Franklin, like that of most other counties in the lower end of Illinois, was dominated by the Southern influence. The usual sequence of frontier, settlement, and agricultural development occurred. The county governmental system was organized, roads were laid out, bridges built, businesses established, schools and churches came into being, and social service institutions were provided. While the lack of navigable waterways and the late arrival of the railroad were contributing factors in the failure of industrialism to develop during this time, it seems fairly certain that Franklin County would have remained an agricultural area if it had not been for the introduction of large-scale coal mining shortly after the turn of the century.

Intensive mining in 1905 marked the beginning of the second phase of Franklin's history. After this date, life in Franklin was measured largely in terms of coal. The transition from an agricultural to an industrial state was not a painless one, being accompanied by an influx into the county of thousands of immigrants belonging to some thirty different nationalities, and the emergence of many economic and social problems hitherto practically unknown. Industrial strife, the bane of all large mining communities, soon grew to serious proportions. Labor union disputes, strikes, violence, and cycles of prosperity and depression, with all of their social connotations, became familiar phenomena in the life of the county.

The crash of 1929 emphasized the breakdown of many aspects of county life, and the transference of certain local functions to state and Federal agencies. Increased mechanization in the mining industry, the use of other energy-producing materials, and the competition from low-wage coal mining areas in the East and South caused severe repercussions in the coal industry. Franklin County suffered especially, since by that time it was the largest coal-producing county in the state and one of the most important in the country. Yet today, with the nation embarked upon an extensive program of national defense and with the importance of coal once more in the foreground, the people of Franklin County again seem on the verge of experiencing a long-delayed and eagerly awaited prosperity.

Physical Geography

Location and General Topography

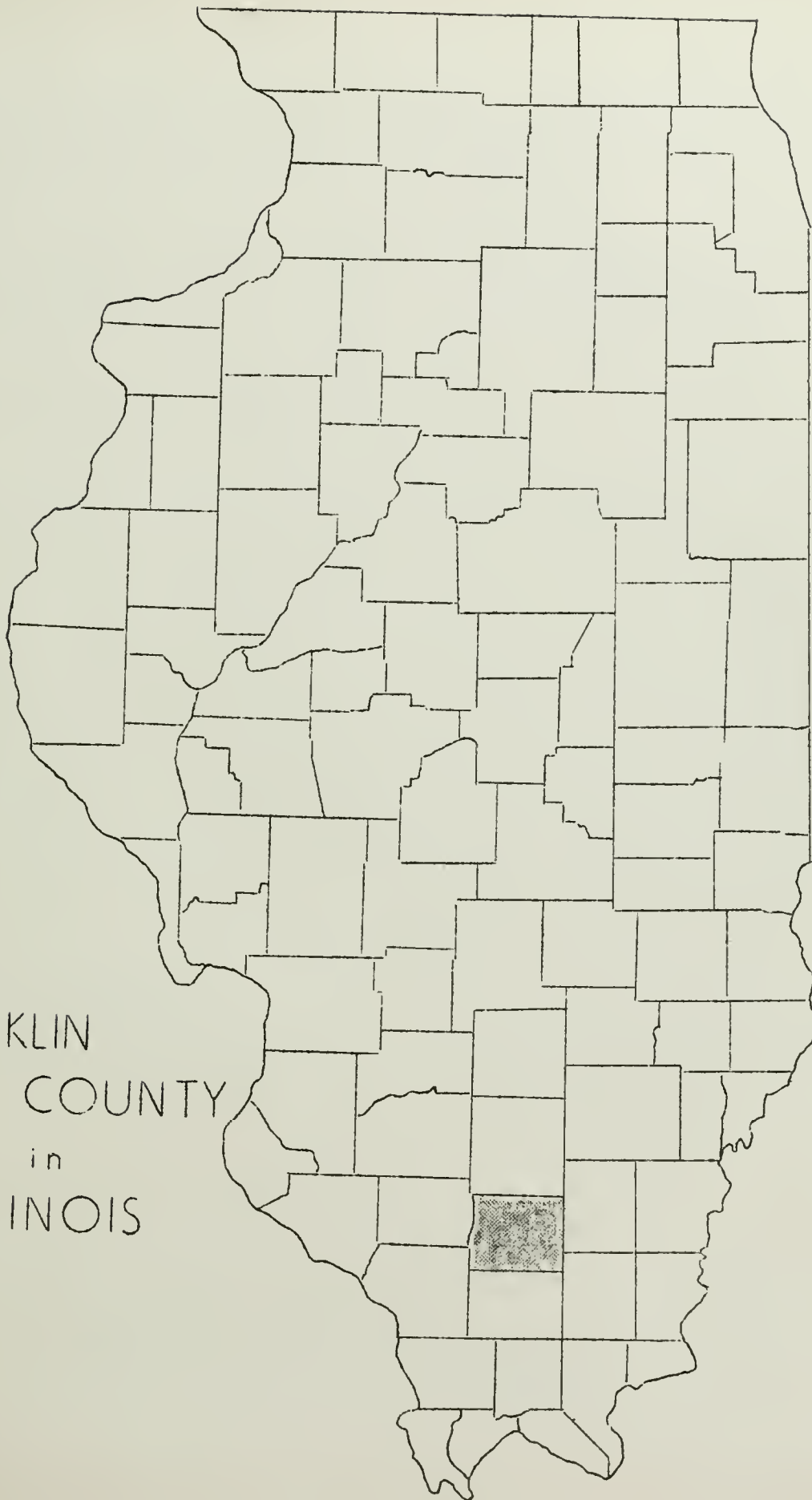
Franklin County lies in the center of the southern part of Illinois the fourth county north from the southern boundary of the state. Benton, the county seat, is about 80 miles southeast of St. Louis and 125 miles south of Springfield. The counties bounding Franklin are: on the north, Jefferson; on the east, Hamilton and Saline; on the south, Williamson (which was formed from Franklin County in 1839 cutting the area of the latter in half); and on the west, Jackson and Perry. The Little Muddy River, running along the western boundary for about twelve miles slightly indents that line, breaking up the otherwise regular contours of the county.¹

The rectangular form of Franklin measures 24 miles east to west, and 18 miles north to south containing 430 square miles.² This area is divided into twelve civil townships,³ and ten full and three fractional congressional townships.⁴

From about 600 feet above sea level along the southwest line, the altitude of the area decreases to about 375 feet along the flood-plain of the Big Muddy River in the north.⁵ This river drains the center of the county, and the little Muddy, Middle Fork, Pond Creek, and Saline and their tributaries, reach other parts of the county. These are the principal streams and, during the dry season, they are confined to steep, narrow channels. With the coming of spring, however, they spread over flood-plains making the overflowed area unsuitable for agricultural purposes.⁶

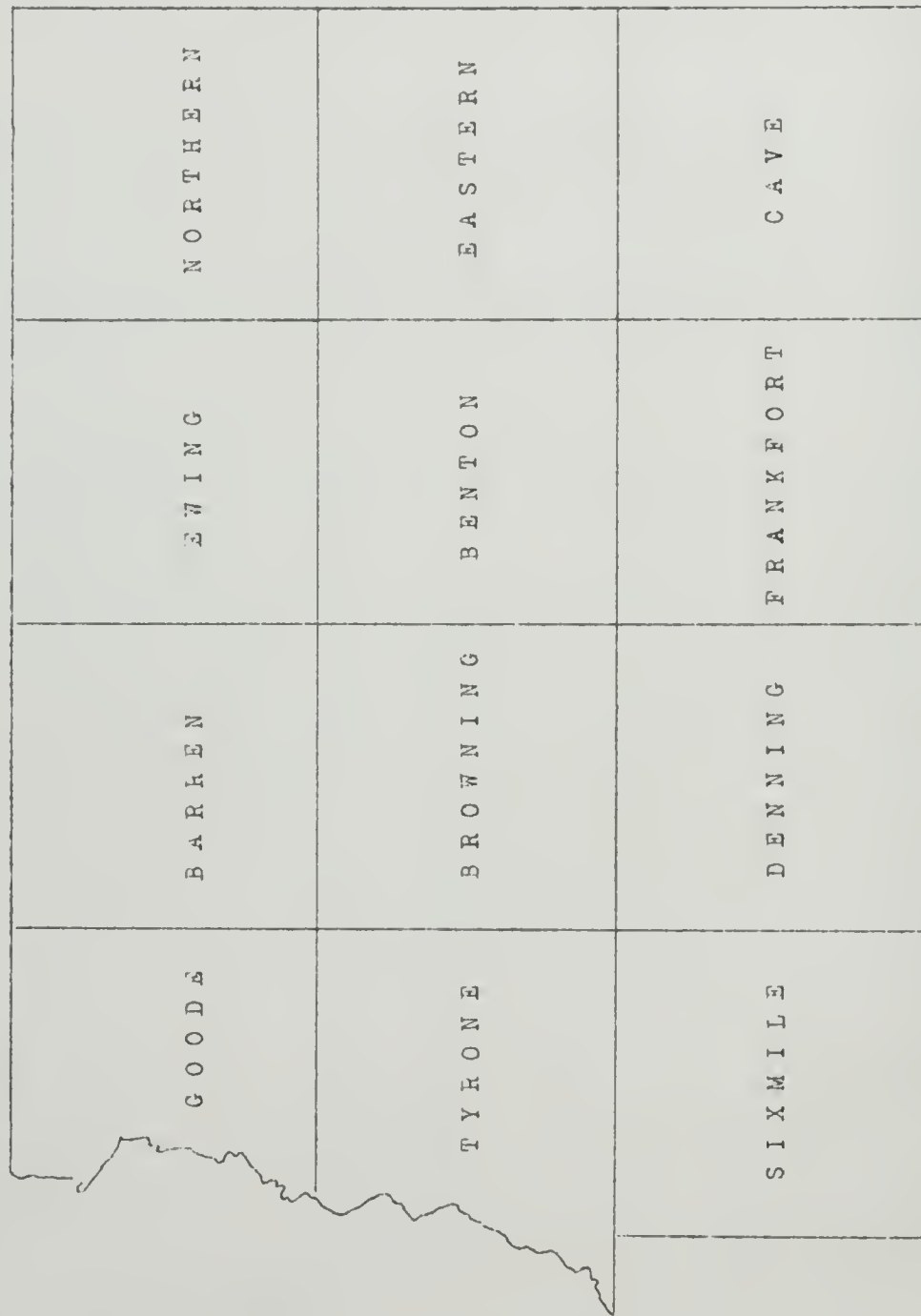
Some of the lesser streams in the county are: Casey's Fork, Gun Prairie Creek, Andy's Creek, Sugar Camp, Markum, Taylor, Jordan, Drummond,

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1. State of Illinois Division of Highways, Map of Franklin County.
 2. Illinois Department Secretary of State, Counties of Illinois, Their Origin and Evolution, p. 61. (Hereinafter cited as Counties of Illinois.)
 3. U.S. Bureau of the Census, Fifteenth Census of the United States, 1930, Population Bulletin, First Series, Illinois Number and Distribution of Inhabitants, p. 17. (Hereinafter cited as Population Bulletin, Illinois, 1930.)
 4. State of Illinois Division of Highways, Map of Franklin County.
 5. Gilbert H. Cady, "The Geology and Coal Resources of the West Frankfort Quadrangle, Illinois," Illinois State Geological Survey, Year Book 1909, Bulletin No. 16, p. 247. (Hereinafter cited as Illinois State Geological Survey Year Book 1909.)
 6. Ibid.



FRANKLIN
COUNTY
in
ILLINOIS

TOWNSHIP MAP FRANKLIN COUNTY



GOODEN	BARREN	EWING	NORTHERN
TYRONE	BROWNING	BENTON	EASTERN
SIXMILE	DENNING	FRANKFORT	CAVE

Historical Sketch

Aiken, Cotton Wood, and Brush Tree creeks.¹ The above-mentioned rivers and streams generally flow in a southwest direction. Although they furnish an ample water supply for livestock they cannot be used as sources of water power because of their sluggishness.

The prairie lands of the county occupy about one fourth of its area. They were named by the pioneers as follows: Six Mile, Webb's, Townmount, Four Mile, Long, Fritzel, Rawlings, Knob, Horse, and Crawford prairies.² The rest of the surface area was originally timbered with oak, ash, maple, hickory, sycamore, birch, elm, sassafras, wild cherry, and other varieties of trees.

Soil, Climate, and Geologic Formation

A majority of the soils of Franklin County are of the upland timber type: yellow and gray silt loam underlaid with clay. "These soils," states Jerome A. Embser, "are low in natural productivity. . . . The average of these soils would score about seven as to their fertility level. There is some good bottom land . . . along the (Big) Muddy River . . . and also along the Little Muddy River. . . ." ³ Underneath the soils, at depths varying from 300 to 800 feet, are some of the best veins of coal in the United States averaging about 8 feet in thickness.⁴

The climate of the area is on the average, a mild one and affords the crops a fairly long growing season. The average rainfall ranges from 30 to 40 inches with about one half of the rain falling in the first quarter of the year.⁵ Concerning the geologic characteristics a University of Illinois publication states: "In general, the present land surface has less relief than was possessed by the pre-glacial surface. Many of the valleys show evidences, through well drillings, of an old soil line presumably marking the position of the pre-glacial surface."⁶

Indians and Whites

Indian Occupation

In the above-described area the red men found by the earliest white settlers belonged to the Shawnee and Kaskaskia tribes. The former encamped

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1. H. M. Aiken, Franklin County History, p. 12, 13.
 2. Ibid., p. 13.
 3. Information obtained from Jerome A. Embser, Farm Advisor, Franklin-Hamilton Farm Bureau, November 5, 1940.
 4. Aiken, Franklin County History, p. 13.
 5. Information from J. A. Embser, November 5, 1940.
 6. Illinois State Geological Survey Year Book 1909, p. 249.

between the Wabash and Big Muddy rivers and the latter between the Big Muddy and the Mississippi. In the Franklin County area and its environs the Indians found the bear, wolf, panther, wildcat, and deer. Occasionally each tribe would trespass upon the hunting grounds of the other which resulted in minor quarrels, and, in 1802, in a bloody battle in Townmount Prairie in the present-day township of Denning. The Shawnees won this battle but lost out to the white settlers who arrived only a few years later. Although the Shawnees remained in the vicinity, harassing the settlers from time to time, after 1832 they were removed permanently.¹

Coming of the White Man, 1804-1818

Only two years after the Shawnees defeated the Kaskaskia Indians the first permanent white settlers arrived in the present area of Franklin County, and by 1818 at least nine separate settlements had been formed. The first settlement, about two and one-half miles southeast of Thompsonville, was established in 1804; the earliest settlers were the seven Jordan brothers, the two Browning brothers, the Estes family, and William Barberry from Tennessee. Somewhat later John McCrerry and his family arrived from Kentucky and settled in the vicinity of Francis Jordan's Fort (present site of Frankfort), one of the two forts built to protect the settlers. Other early settlers who joined the settlement were: Aaron and Moses Neal, Isaac Moberly, John Hall, John W. Swofford, Nathaniel Jones, William Jackson, James Isaacs, J. L. Cantrell, and Henry Yost.²

The second settlement was established in 1811 in Six Mile Township by Charles H. Humphreys. Humphreys, a Philadelphia school teacher, came to Illinois to visit his brother, Edward, the land office registrar in Kaskaskia. While there he was offered a tract of land by the authorities of the Illinois Territorial Government if he would build a ferry on the Big Muddy. He agreed to the deal, built the ferry, and founded the settlement.³

Baker King established the third settlement in Goode Township in 1813. A year later the Reverend John Browning, a hunter as well as a Baptist preacher, started the Spring Settlement, founding the Mt. Pleasant Baptist Church in 1829, the oldest Baptist church in the county. The year 1815 saw the establishment of Chamberlain Hutson in Ewing Township and of Herrin Taylor and his family, Eli and Lazarus Webb, and Jacob Phillips in Northern Township.⁴

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1. History of Gallatin, Saline, Hamilton, Franklin and Williamson Counties, Illinois, p. 337-41. (Hereinafter cited as History of Franklin County.)
 2. Aiken, Franklin County History, p. 22; History of Franklin County, p. 340.
 3. Aiken, Franklin County History, p. 24.
 4. Ibid., p. 24, 25.

Historical Sketch

The seventh settlement came into being in 1814 or 1815 when Isham Harrison, a relative of General William Henry Harrison, settled with his family in the vicinity of the city of Christopher in Tyrone Township. The prominent Mulkey family, the Tinsleys, Greenwoods, and Kirkpatrick's were among the early settlers of that township.¹

The eighth and ninth settlements had their beginnings in 1817 and 1818. The Launis settlement was founded by the Reverend John Launis Methodist minister, in the eastern part of Franklin. Reverend Launis was responsible, together with Reverend Hancock, a Revolutionary War veteran, and Braxton Parrish for the establishment of the Mt. Etna Methodist Church. The first schoolhouse in the county was probably erected in the Launis settlement. The 1818 settlement occurred in Eastern Township when the closely related McLean and Aiken families settled there to be joined by Edward and Alex Sullivan and Thomas and Levi Summers, veterans of the War of 1812.² These early pioneer families mentioned in connection with the founding of the earlier settlements and the later pioneer families played a vital part in the growth and development of civilized society in Franklin County. Their names figure most in the acts and measures inscribed in the county records, and are to be found attached to the county's townships, towns, streams, prairies, and road districts.³

The majority of the early pioneers came from the southern states. They found it rather difficult to penetrate into the interior because of the lack of transportation facilities. The Shawneetown-Kaskaskia road, crossing the southern part of the Franklin area, had served as a trail for the Indians, French, and early American settlers. It was improved with Congressional funds in 1816.⁴ The first stagecoach line from Kaskaskia to St. Louis went into operation in 1819; the one from Shawneetown to St. Louis (crossing the county) was projected in the same year giving the settlers rudimentary transportation facilities.⁵

As was common in the American "wests" settlers usually preceded the government survey, squatting on the land and protecting their pre-emption rights against all comers. The Land Law of 1820 abolished the credit system which had failed to bring in the considerable revenue expected, giv-

1. Aiken, Franklin County History, p. 25-27.

2. Ibid., p. 26.

3. (County Court Record), v. D (1838-46), p. 47-66, in Supervisors' Record, see entry 2.

4. Solon Justus Buck, Illinois in 1818, Introductory volume, Centennial History of Illinois, p. 115. (Hereinafter cited as Buck, Illinois in 1818.)

5. Theodore Calvin Pease, The Frontier State 1818-1848, v. II, Centennial History of Illinois, p. 10.

ing the settlers a chance to buy the unsold land, after the public auction, at a new low price of \$1.25 per acre.¹ The tendency of Congressional land acts to liberalize the land laws in favor of the settlers (from the Preemption Act of 1841 to the Homestead Act of 1862) resulted in a more rapid buying and entering of land in Franklin County. Whereas prior to 1850 only about fifty percent of the public lands in Franklin were entered,² the rush to buy land, after those along the Illinois Central Railroad were placed on sale, became very great. "Sales were especially brisk in southern Illinois," says Professor Cole, "where the best lands were soon exhausted. The poorer lands, however, spurned in the open market, were quickly taken up, when in 1854, Congress passed a graduation act (popularly known as the 'Bit Act') which permitted land entries at as little as twelve and one-half cents an acre."³ A few years after this act went into effect most of the lands in Franklin County subject to entry were taken up.

Organization of Franklin County

Creation

The creation of Franklin County in 1818 was in part due to the desire of the leaders of Illinois to increase the number of counties, thereby enhancing the probability of securing the early admission of Illinois as a state.⁴ The act of the territorial legislature of January 2, 1818 created Union and Washington counties, as well as Franklin - these being the last three counties of territorial origin. The enabling act created Franklin County (the original area included the areas of Franklin and Williamson counties minus a small tract in township 6 south) out of Gallatin, White, and Jackson counties.⁵ The county was named after the most versatile and

-
1. Pease, The Frontier State 1818-1848, p. 4.
 2. History of Franklin County, p. 351.
 3. Arthur Charles Cole, The Era of the Civil War 1848-1870, v. III, Centennial History of Illinois, p. 86, 87.
 4. Buck, Illinois in 1818, p. 220. Another note on the creation of the three counties is given by the writer of a history of Franklin County. "There were only twelve members of the legislature and they all roomed together, including the clerk, Mr. Cook. In arranging the memorial (to Congress) Cook suggested that it would be wise to organize more counties which would make a better showing for the territory for statehood." Aiken, Franklin County History, p. 20.
 5. Laws of Illinois Territory, 1817-1818, p. 11: "Beginning at the corner of township ten and eleven on the line between ranges four and five; thence north with said line 36 miles; thence west twenty-four miles to the third principal meridian, thence south with the same to the line dividing townships ten and eleven; thence east to the beginning. . ."

Historical Sketch

renowned American colonial, Benjamin Franklin,¹ and at the date of creation it contained about 1,228 persons, or 171 families, of which 52 persons² were a colony of free Negroes near Saline Creek and 15 were Negro slaves.

Location of County Seat - Garrett's Tavern, 1818-1826, Frankfort, 1826-1841, Benton, 1841 to Present

Now that the boundaries of the county had been delimited the next problem was to locate a county seat. The tavern of Moses Garrett on the Shawneetown-Kaskaskia Road, a few miles from Frankfort, was used temporarily.³ Although we do not have the early records of the county (the records for the years 1818 to 1838 and others extending to 1843 were burned in 1843⁴) we know that the locating commissioners, Samuel Hay, Samuel Omelvery, and Richard Moulding did not locate a permanent seat, for on February 1, 1821 the legislature appointed another set of commissioners who were to meet on the first Monday in April 1821, or within six days thereafter at the house of William B. Perry, and proceed to examine and designate a site for the county seat. The proprietor of the place selected was required, according to the act, to give to the county a tract of land not less than twenty acres to be laid out in lots and sold, the proceeds to be used in erecting public buildings.⁵ They selected Frankfort as the county seat and received twenty acres of land from Moses Garrett. The town was surveyed in 1826 by Samuel Harrison and a jail and log courthouse were built in the same year.⁶

The seat of the county did not, however, remain at Frankfort very long. After the western boundary of the county was changed in 1835 from

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1. Counties of Illinois, p. 66.
 2. Buck, Illinois in 1818, p. 71. The Negro slaves were owned by the Jordans, McCreerys, Crawfords, and Clarks. In the slavery controversy the people of Franklin County, being in the main of Southern stock, leaned heavily toward the pro-slavery position. As late as 1840 there were still five slaves in the county and many long-term indentured colored servants. See History of Franklin County, p. 348, 349; Pease, The Frontier State 1818-1848, p. 89; Aiken, Franklin County History, p. 57; U.S. Bureau of the Census, Sixth Census of the United States, 1840, p. 378, 379; Commissioners' Record, v. C, p. 21, 24, 108, 250, in Supervisors' Record, see entry 2.
 3. Laws of Illinois Territory, 1817-18, p. 11.
 4. Theodore Calvin Pease, The County Archives of the State of Illinois, v. XII, Collections of the Illinois State Historical Library, Biographical Series, v. III, p. 225.
 5. L. 1821, p. 69.
 6. History of Franklin County, p. 360.

the third principal meridian to the Little Wabash River, and Williamson County was created in 1839 at the request of the inhabitants of south Franklin County, John Reed, Noah Johnson, and Milton Carpenter, the appointed locating commissioners, chose the present site of the county seat from among several possible locations: Swofford's, Ewing's, and Rea's properties.¹ This site was named in honor of the famous Missouri senator and champion of western interests, especially the land graduation plan, Thomas Hart Benton. Henry W. Perry, the county surveyor, was then ordered by the county court to survey and lay off the town into lots which were disposed of publicly October 28, 1839, sixty-three lots being sold for a total of \$3,590.12½.² These funds were to be used only for constructing the county public buildings according to the legislative act of January 7, 1841 which approved the selection of Benton as the permanent seat of justice of the county and selected March 1, 1841 as the commencement date of official county business at Benton.³

Governmental Bodies, 1818-1849

Between January 2, 1818, when Franklin County was established, and the acceptance of the state constitution by Congress, December 3, 1818, Franklin functioned under three different types of county government. For the first ten days of its existence as a separate civil unit the county was governed, at least nominally, by a county court consisting of three judges appointed by the territorial governor in accordance with the law of December, 1814 abolishing the older courts of common pleas.⁴ On January 12, 1818 a law was passed abrogating the county court and establishing in its place the justices' court composed of the magistrates of a county - a quorum consisting of any three.⁵ The Constitution of 1818 terminated

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1. L. 1835, p. 36,37; L. 1839, p. 110; (County Court Record), v. D (1838-46), p. 69,70, in Supervisors' Record, see entry 2. The locating commissioners "agreed upon (as a place most suitable) a spot on North East fourth of the South West quarter of section number eighteen in Township number six south and Range number three East of the third principal meridian, . . . on or near the summit of a mound or hill in the edge of the timber and at the south end of Rawlings Prairie and we further state that we set up a stake at the said tract of land, which is said to be owned by one John Ewing and one Walter S. Akin the said Ewing and Akin having agreed to give a donation of twenty acres of land the center of said donation to be at or near the root of said tree. . . ."
 2. (County Court Record), v. D (1838-46), p. 84,92-94, in Supervisors' Record, see entry 2.
 3. L. 1841, p. 93,94.
 4. Nathaniel Pope, ed., Laws of the Territory of Illinois, II, 345,349.
 5. Laws of Illinois Territory, 1817-18, p. 90.

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the justices' court and provided for a county commissioners' court composed of three elected members.¹

The county commissioners' court, an institution borrowed originally from England, was the governing body in all the counties for thirty years (1818 to 1848). Its more important duties as defined by the legislative act of 1819 were to: control the county revenues; issue licenses; regulate transportation facilities; keep vital statistics; administer poor relief; maintain schools; provide taxation machinery and election procedures; and record land titles.² By acts subsequent to the act of 1819 the legislature broadened and defined the original functions of the commissioners' courts, adding limited judicial powers. Moreover, the act of 1819 also provided for the appointment of a clerk to the court; this office was made elective by the act of February 7, 1837.³ The court sessions were held quarterly: the first Mondays in March, June, September, and December.

Roads and Bridges, 1823-1842

Among the first duties of the early courts was that of laying out public roads and providing for bridges. A road leading from Frankfort to Mount Vernon in Jefferson County was opened in 1823 under the supervision of Lemuel R. Harrison, Braxton Parrish, and Andrew Harrison, road viewers.⁴ The General Assembly authorized the building of roads: in 1827 from Vandalia to Golconda to pass through Frankfort;⁵ and in 1833 from Pickneyville in Perry County to Kirkpatrick's Bridge on the Little Muddy in Franklin,⁶ and from Wilcox's Ferry on the Ohio in Johnson County to Frankfort, one of the most important south-central Illinois towns.⁷ It also authorized as a state road the road from Frankfort to Ledbetter's Ferry on the Mississippi.⁸

The repair and maintenance of the county roads was vested in the hands of the road supervisors in the twenty-three districts existing in 1839.⁹ These districts were named after settlers, prairies, and creeks and were not numbered as was the usual method in other counties. The

1. Const. 1818, Schedule, sec. 4.

2. L. 1819, p. 33,75,175.

3. L. 1837, p. 49.

4. History of Franklin County, p. 361.

5. Priv. L. 1827, p. 25.

6. Priv. L. 1833, p. 134.

7. Ibid., p. 180.

8. Priv. L. 1827, p. 156.

9. (County Court Record), v. D (1838-46), p. 47-66, in Supervisors' Record, see entry 2.

supervisors of the road districts were charged with the special duty of assigning road work to every male citizen between 18 and 50 for five days a year.¹

As new settlements were established, and after Williamson County was formed, the courts received numerous petitions for the relocation of the roads. The simple but effective language of the frontier is clearly portrayed in the petition of Henry Avery and 65 other inhabitants, in 1842:

We the undersigned earnestly but humbly pray your honorable body to make an order to disannul the county road leading from the town of Benton direct to the town of Marion Williamson County. Your honorable body are aware that there are now two rodes open leading from Benton to Marion. One leading the direct way and the other by the way of frankfort and your petitioners therefor pray your court to retain the rode via Frankfort for these and other reasons 1st. Frankfort being a post town sensequently the mail from Marion to Benton passes through Frankfort and can never come the direct rout. 2nd Justice and equity to the people would say that it ought to pass through Frankfort. 3rd the burden of keepint up two roads when one will answer the same purpose. Your petitioners pray our honorable body to disennul the direct rout . . . and your petitioners will ever pray as in duty bound.²

The petition was granted.³

Because of a lack of public funds individual citizens were sometimes granted permission to build toll bridges. Samuel McClintock, for example, built a toll bridge over the Little Muddy River where it meets the Shawmeetown-Kaskaskia Road and he and his partner Lewis Barker, also built a toll bridge over the Big Muddy River where it is crossed by the same road.⁴ These roads and bridges, it is important to note, connected the southern Illinois country, of which Franklin County was a part, with the Ohio and Mississippi River valleys.

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1. (County Court Record), v. D (1838-46), p. 12,13,47, in Supervisors' Record, see entry 2; R.L. 1827, p. 340-46.
 2. (County Court Record), v. D (1838-46), p. 223,224, in Supervisors' Record, see entry 2.
 3. The viewers appointed to examine the roads in question recommended that the petition be granted, one of the grounds being that "We believe the prayer of said petition should be granted upon the wish of the respectable number there being 65 petitioners and no remonstrance against it" (*ibid.*, p. 262).
 4. History of Franklin County, p. 361.

Historical Sketch

County Buildings at Benton, 1840-1875

Providing for the erection of county buildings at Benton was another important function of the county commissioners. The little log courthouse at Frankfort was used through 1840 when the court moved into the clerk's office at Benton. Since this office, built by Thomas Mansfield, was a rather hastily constructed building costing only \$155.75 1/3, the court awarded a contract for a new courthouse to cost \$539.50 to Augustus Adams at the June term, 1840. This courthouse, a small frame building which was to be completed April 1, 1841 was finished on June 10, 1841. Soon after it was occupied it was found to be inadequate, and a new two-story brick courthouse was ordered and the contract awarded to Joseph Tucker and John Pascal in May, 1842.¹ It was occupied in 1845 and used until the present courthouse was built in 1874 to 1875.²

The log cabin which served as the first courthouse at Benton, as well as the office of the county clerk, was burned down on November 18, 1843, and nearly all the county records destroyed. By an act of the General Assembly, January 21, 1845, Samuel R. Casey, Walter S. Akins, and Lemuel R. Harrison were appointed to investigate the records remaining,³ and together with their secretary, Simon M. Hubbard, undertook to gather as many duplicates of original deeds, bonds, notes, wills, and other similar instruments, copy them (they each received \$1.75 per day plus expenses from the state⁴), and file them at the courthouse - a task they completed in June, 1846.⁵

As in the case of the courthouse, provisions had to be made to change the location of the jail from Frankfort to Benton. The Benton jail was not completed until 1844 by Richard Chidester and was a stone, brick, and wood structure costing \$1,250.⁶

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1. (County Court Record), v. D (1833-46), p. 125,149,172,209,219, in Supervisors' Record, see entry 2.
 2. Supervisors' Record, v. A, p. 275, see entry 2.
 3. L. 1845, p. 213.
 4. Ibid., p. 215.
 5. (County Court Record), v. not lettered (1846-50), p. 44, in Supervisors' Record, see entry 2.
 6. The county sheriffs had complained about the inadequacy of the county jail when it was at Frankfort, and, after 1841, at Benton (County Court Record), v. D, p. 7,16,126,181,234,246,251,368, in Supervisors' Record, see entry 2.

Administrative and Political Development

County Court, 1849-1872

Only eight years after the county seat had been established at Benton, the Constitution of 1848 abolished the county commissioners' court and set up in its stead the county court.¹ This court as an administrative body was composed of the county judge and two associate justices who, sitting together, administered the affairs of the county much in the same manner as the old three-commissioner court. However, the county electorate was given the option of voting for a township plan modeled on the New England system where town supervisors made up the governing body. A petition of fifty or more voters addressed to the county court was sufficient for the court to order the question submitted to a vote.² The people of Franklin County did not at this time petition for the establishment of the township plan to replace the county court. In December, 1849 this new body commenced to function. Andrew D. Duff had been elected county judge; Wilson Rea and Bennett Scarborough, associate justices; W. R. Browning, county clerk; and Thomas J. Mooneyham, sheriff.³

The preponderance of persons of southern origin in the county resulted in the retention of the county court system until after the Civil War, although nearly all of the other counties in the state had adopted the township form of organization. During the 70's and 80's attempts were made to change from the county plan of government as exemplified by the county commissioners' court and the administrative county court, partly as a result of the post-bellum sentiment and partly because of the growing dissatisfaction with the political and

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1. Const. 1848, Art. V, sec. 19; Schedule, sec. 6.
 2. *Ibid.*, Art. VII, sec. 6; L. 1849, p. 190; L. 1851, p. 35; L. 1857, p. 183; L. 1861, p. 216; L. 1871-72, p. 756.
 3. The last county commissioners' court was composed of Caleb F. Mulkey, Moses Neal, and Matthew Ing. W. R. Browning was county clerk, and Thomas J. Mooneyham, sheriff. There were six voting precincts in the county: Four Mile, Spring Settlement, Northern, Benton, Eastern, and Frankfort. One of the last acts of the court was ordering the establishment of secret ballot boxes, in accordance with the law of 1849 (L. 1849, p. 72). The boxes were to be built out of "good poplar or maple plank to be made one foot long and six inches square to be well duffed together with the top rabbited so as to slip it in at the end with the lock and key in a safe and workman like manner and that George W. Akin be and he is hereby allowed six dollars for making and distributing said boxes." (County Court Record), v. not lettered (1847-50), p. 95, 145, 148, 172, 176, 178, 179, 185, in Supervisors' Record, see entry 2.

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economic status quo by the farming groups in the county. On November 6, 1871 the voters decided, however, against a new county plan of government, the board of county commissioners, and accepted the township system by a vote of 937 to 520.¹

Board of County Commissioners, 1875-1876, 1880-1885

The struggle between the two opposing forces, however, had just begun. The Constitution of 1870 had retained the "either-or" provision but in place of the county court a new body, called the board of county commissioners, was offered as the alternative to the township system.² Soon after 1871 the board of supervisors granted the request of a petition, signed by one fifth of the voters, to submit the question of a choice of the county's administrative system to the electorate. In the election of November, 1874 the voters decided in favor of a board of county commissioners.³ This action was soon challenged and the commissioners were again requested to resubmit the whole question to the electorate in November, 1875. This time the township organization was readopted.⁴ A reversion to the board of county commissioners occurred in 1879 after the partisans of county government carried the day by a majority of only 27 votes,⁵ and it was not until 1884 that the voters of Franklin County finally decided, by a vote of 1,735 to 1,040 to have a township system of government - the system in effect today.⁶

Township Organization, 1872-1875, 1876-1880, and 1885 to Present

During the first period under township organization (1872-1875) a division of the county by Calvin M. Clark, Thomas K. Means, and John McCreery into townships took place. The townships erected were: Barren, Ewing, Northern, Tyrone, Browning, Benton, Easter, Six Mile Prairie,

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1. Sheriff's Certificate of Purchase (County Court Record), v. E, p. 435, in Supervisors' Record, see entry 2.
 2. Const. 1870, Art. X, sec. 6. The new board of county commissioners was composed of three commissioners elected for a three-year term. A law of 1873-74 granted to this board all the administrative powers and duties formerly exercised by the county court (L. 1873-74, p. 79). In February, 1875 the new board divided the county into six election districts: Gode, Six Mile, Ewing, Benton, Plainfield, and Franklin (Supervisors' Record, v. A, p. 191-93, see entry 2).
 3. Supervisors' Record, v. A, p. 153, 157, 190, see entry 2.
 4. Ibid., p. 268.
 5. Ibid., p. 556, 565.
 6. Ibid., v. B, p. 419, 450, see entry 2.

Townmount, Goode, Frankfort, and Cave.¹ The name of Townmount Township was changed to Denning and the word "Prairie" deleted from Six Mile Prairie Township. The members of the first board of supervisors in 1872 were: John A. Walker, Samuel McClelland, Coleb F. Mulkey, David Martin, Franklin L. Rea, William J. Murphy, Gilbert G. Sweetin, Isaac Ward, Mounteville Fitts, Peter Phillips, John H. Hogan, and Jesse G. Mitchell. The business of the county was transacted by the finance, public buildings, poor farm, bridges, and blanks, books, and stationery committees.²

It is interesting to compare the names of the first board of supervisors and the committees through which they functioned with the board of 1940. This board had twenty-three members of whom eleven were assistant supervisors. They were according to townships: Winsor Brayfield, Goode; J. R. Phillips, Barren; R. B. Taylor, Ewing; Roy Dye, supervisor, and Arthur Giles and Everett McGlasson, assistants, Tyrone; Holland Simmons, supervisor, and Scott Crain, Clyde Hobbs, and William Bell, assistants, Benton; Walter Schmitt, supervisor, and Eugene Puudent and Louis Coet, assistants, Six Mile; Charles Pearce, Northorn; Ullis Harris, Eastern; W. D. Flannigan, Cave; Arthur Craslin, supervisor, Clyde Nicholson, Ivan Lee, and Harry Hays, assistants, Frankfort; O. A. George, supervisor, Levi Russell and Louis Tressa, assistants, Denning; and J. Palmer Rea, supervisor, and George Furlow, assistant, Browning. J. Palmer Rea was the chairman of the board, and the ten standing committees were: finance, ways and means, fees and salaries, purchasing, building, bonding, poor farm, educational, road and bridge, and insurance. The other officials of Franklin County in 1940 were Everett Lewis, county judge; Barney Clemons, county clerk; Eugene Dorris, circuit clerk; Rea F. Jones, state's attorney; Geoffrey Hughes, superintendent of schools; Edward Powell, sheriff; David J. Clayton, coroner; E. A. Webb, superintendent of highways; Curtis E. Smith, surveyor; Jerome A. Embser, farm advisor; James D. Mandell, parole officer; W. K. Hart, master in chancery; D. S. C. Moore, county physician; and S. Byford Vaughn, county treasurer.³

National Politics

The struggle between the groups favoring the county and township forms of local government reflected, in part, and influenced, the growing political divisions in the county in the post-bellum years. Up to the Civil War Franklin County was a regular Democratic county - a typical

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1. Sheriffs' Certificate of Purchase (County Court Record), v. E, p. 445, 467, in Supervisors' Record, see entry 2.
 2. Supervisors' Record, v. A, p. 2, see entry 2.
 3. Information obtained by Pauline Culbertson from Barney Clemons, County Clerk.

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example of the union of South and West in national politics.¹ Even in 1860, and during the war, the Southern element was strong enough to carry the county against Lincoln; the vote in 1860 stood, Lincoln 228 and Douglas, 1,391, and in 1864, Lincoln, 659 and McClellan, 876.²

After the war the Democratic majorities in national elections decreased, one of the reasons being that more Northern people came into the area. In the election of 1904 Theodore Roosevelt carried the county. For the first time in its history Franklin had moved into the Republican column, the county being Roosevelt, 2,077 and Parker, 1,801.³

The presidential vote in the following years has been close: no one party has the ante-bellum hegemony possessed by the Democratic Party. In the post-1904 elections the county remained in the Republican fold returning to the Democrats in 1916 by the very narrow margin of 48 votes out of 12,790.⁴ In 1924 Calvin Coolidge carried the county; but Alfred E. Smith received 11,369 votes out of a total of 21,269 cast in 1928.⁵ Although F. D. Roosevelt beat Herbert Hoover in 1932 (14,754 to 7,560)⁶ and Alfred M. Landon in 1936 (15,254 to 10,708),⁷ he defeated Wendell L. Willkie in 1940 by only a little over 2,000 votes indicating a possible trend back to Republicanism.⁸ The presence in Franklin County of a large number of naturalized citizens and union members has been offered as an explanation for the strong Democratic showing during the past decade and a half.⁹

Public Welfare

Private Care of Needy - Poor Farm

One of the most important functions of the officials in Franklin County, whether Democratic or Republican county commissioners, county

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1. Theodore Calvin Pease, ed., Illinois Elections Returns, 1818-1848, v. XVIII, Collections of the Illinois State Historical Library, Statistical Series, I, 14,42,57,61,80,86,104,111,117; The Whig Almanac and Political Register (1845), p. 64; (1849), p. 61; (1853), p. 61; (1857), p. 61.
 2. The Tribune Almanac and Political Register (1861), p. 59; (1865), p. 59.
 3. Ibid. (1905), p. 312.
 4. The Chicago Daily News Almanac (1917), p. 431.
 5. Ibid. (1925), p. 714; (1929), p. 690.
 6. Ibid. (1933), p. 688.
 7. Ibid. (1937), p. 795.
 8. "Vote by Counties for President," Chicago Daily News, Final Edition, November 6, 1940. The vote in 33 out of the county's 35 precincts was 14,261 for Roosevelt and 12,016 for Willkie.
 9. See George Malcolm Stephenson, History of American Immigration, 1820-1924.

judges, or township supervisors, was to provide for the needy. The poor of the county, during the period of an abundance of game and cheap lands, were the aged, infirm, orphans, and minors whose parents were unable to support them. These were placed in private homes and their guardians were paid from the county treasury. In general the poor laws brought to Illinois from Virginia - which were based on the still older English Poor Laws - were followed. Some of the early legislation which affected the practice of handling the poor in the county were the law of 1807 of the Indiana territorial legislature providing for the farming out of persons who had become public charges to the lowest bidders and for the letting out of the orphaned and needy children by the overseers of the poor as indentured servants or apprentices, and the Illinois laws of 1835 and 1839 authorizing the county authorities to establish poor houses.¹ Before 1840 the justices of the peace in Franklin were responsible for finding homes for the indigent; after that year the county overseer of the poor was appointed by the board to coordinate the activities of the justices.²

During the first few decades there was an unusually small number of indigents requiring aid. Between 1839 and 1845 only three such cases are mentioned in the county records.³ Those were given, it seems, exemplary care. Besides food and lodging the clauses in the quarterly contracts between the county and the parties responsible for the poor required that they be given a large variety of good clothing to conform to the style and season. In one case it was contracted that the poor person was to be fitted with a pair of shoes, stockings, worsted pantaloons, two shirts and a seal skin cap. Toward summer he was to be given "one new cotton shirt, one palmeto hat, one linen roundabout suitable for summer wear." At another time the same indigent was to be furnished with "one new frock coat, 1 pantaloon, 1 vest, 1 pr. woolen socks, 1 woolen hat."⁴ In the case of another indigent he was to be given "one linsey jeans coat of a brown colour, one pair of pantaloons of the same one waistcoat also of the same cloth, one good new pair of shoes and one pair of good new socks . . . all of which clothing shall be well made after the form and fashion of the country."⁵

It was not until 1861 that a poor farm was purchased consisting of 120 acres and located in Benton Township. This farm had 23 persons living on it in 1886 of whom 3 were blind and 6 insane.⁶

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1. Pope's Digest, 1815, v. II, in Collections of the Illinois State Historical Library, XXX, Law Series, IV, 378, 497, 500; L. 1835, p. 66, 67; L. 1839, p. 138-40.
 2. (County Court Record), v. D (1838-46), p. 87-106, in Supervisors' Record see entry 2.
 3. Ibid., p. 24, 30, 445.
 4. Ibid., p. 175, 199, 200, 230.
 5. Ibid., p. 353.
 6. History of Franklin County, p. 368.

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Relief and Recovery Program after 1929

The depression of 1929 worked considerable havoc among the citizenry of Franklin County for the figures of June, 1940 show that more than thirty percent of the 1930 population received some form of public assistance while the percentage in the state was about thirteen. The 19,141 persons receiving public assistance in 1940 were distributed among the aid agencies as follows: 6,928, general relief; 11,393, Work Projects Administration; 1,720, old age assistance; 149, mothers' pensions; and 48, blind pensions.¹ The WPA has made some important contributions in repairing roads and highways, building new bridges, viaducts, and other public structures; and in providing many social services for the people in the county.²

County Finances

Sources of County Income in Early Days

The various county institutions, like the poor farm, were supported from the revenue accruing to the county. As was not infrequent in frontier society the scarcity of "hard" money often meant that taxes were paid in kind: deer, bear, and coon skins, and wolf scalps. Income from assessments on personal property was by far greater than from assessments on land since so much of the land had not been entered - the title still being in the hands of the national or state governments exempting the land from taxation. The financial report of the county collector, Benjamin Smith, in 1839 discloses that the sum of \$1,543.67 was collected (see Table I). The tax rate was one half of one percent of the assessed value for the county (which would amount to \$1,765.65, the gross collectable sum), and one fifth of one percent for the state. Assessments were made on the following classes of

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1. Illinois Emergency Relief Commission, Monthly Bulletin on Relief Statistics (July, 1940), VII, No. 7,120. The obligations in the county against state and local funds for general relief during the month of July alone amounted to \$59,542.42; the county assumed for its part a very small share of this amount: \$2,962.05. For the year ending June, 1940 the total sum expended for the public assistance program, including the administrative expenses, was \$709,351. The county contributed \$49,328 to this sum; the balance came from state funds (*ibid.*, p. 123).
 2. A. G. Foote, Report of 4½ Years WPA Work in Franklin County, p. 1.

TABLE I: ASSESSMENTS AND COLLECTIONS, 1839¹

Item	Assessed	Collected
Personal Property	\$260,888.855	\$862.8100
Land	84,231.515	691.2475
Total	\$345,130.37	\$1,554.0575
Minus Delinquencies		10.3875
Net Collected		\$1,543.67

personal property: ". . . stud horses, teams of mules, horses, cattle and servants, and colonial clocks, money actually loaned, stock in trade and other distinctions of taxable property of the Stock of Incorporate Companies . . . and the value of other kind of personal property not herein enumerated."² Additional income from license fees and from fines for assault and battery, peddling without a license, violation of the stray law for animals, and other more unusual infractions of the law helped keep the county "out of the red."³

Balance Sheet, 1841

A better cross section of the financial situation in Franklin County may be obtained from the report of December, 1841 presented to the county board by County Clerk Simon M. Hubbard (Table II). To the report the clerk

1. (County Court Record), v. D (1838-46), p. 121,122,126, in Supervisors' Record, see entry 2. The entering of land in Franklin County was unusually slow as compared to the progress in other counties - probably because of the late coming of the railroad. This also helps to explain the great disparity between the income from assessments on personal property and on land as illustrated in this table.
2. (County Court Record), v. D (1838-46), p. 25, in Supervisors' Record, see entry 2.
3. Ibid., p. 199; ibid. (v. not lettered, 1846-50), p. 31. An exceptionally high fine of \$20 was imposed in one case on the unusual charge of betting on the outcome of an election (ibid.). Another unusual charge was usury for which Anarius Elkins was fined \$4.28 (ibid., p. 68). Fees for licenses for taverns, of which there were a large number in the county, were \$250 per year in 1838 and \$24 in 1844. The tavernkeepers were required to post bonds of \$300 and upwards, the condition of which that the proprietor "shall not keep about his house any riot or fighting and by no means keep a disorderly house" (ibid., v. D [1838-46], p. 8,339).

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TABLE II: BALANCE SHEET, DECEMBER, 1841¹

Assets		Liabilities and Proprietorship	
John B. Maddox, treas.	\$ 240.00	County Orders:	
Revenue for 1841 in		Unredeemed	\$ 744.69
Collector's Hands	938.34 $\frac{1}{2}$	1841, for Poor	78.37 $\frac{1}{2}$
Docket and Jury Fees	94.75	Roads and Bridges	90.75
Rent of Stove	4.50	Fees:	
W. Allen, Late Sheriff		Judges and Clerks	31.75
in Arrears	560.51	Sheriff	38.50
Fines Assessed by		Constables	71.20
Justices of the Peace	38.00	Grand and Petit Jurors	270.00
Fines Assessed before		Jail	3.50
Circuit Court	120.00	Assessors	
		Eastern District	17.50
		Western District	12.50
		Salaries	
		Clerk of Circuit Court	30.00
		Judges of Comm. Court	117.50
		Franklin County	444.84
	\$1,996.10 $\frac{1}{2}$		\$1,996.10 $\frac{1}{2}$

added three notes: (1) the amount owed by Willis Allen, former sheriff, was "supposed to be doubtful"; (2) many of the fines assessed were uncollectable because of the insolvency of the debtors; and (3) the collector's fees and delinquencies on the part of taxpayers were still to be deducted.² In other words, the financial situation in the county was not nearly as good as a rough glance at the proprietorship item on the balance sheet would indicate.

Comparative Statistical Tables
of Taxable Property Lists

The assessed property items included in the above-mentioned report of 1839 were expanded and altered in subsequent listings of taxable property showing the economic changes which were taking place in the county. In this connection it is interesting to compare the items listed in 1900, 1919, and 1939 (Table III) with those in 1854 (Table IV).

1. (County Court Record), v. D (1838-46), p. 193, 194. The figure of \$1,996.10 $\frac{1}{2}$ in the Liabilities and Proprietorship section is given here as it stands in the county record. The correct figure, however, is \$1,951.10 $\frac{1}{2}$.
2. Ibid., p. 194.

TABLE III: ASSESSED PROPERTY LISTS FOR THE YEARS 1900, 1919, AND 1935¹

<u>1900</u>	<u>1919</u>	<u>1935</u>
Item	Item	Item
Number or Acres	Number or Acres	Number or Acres
Assessed Valuation in \$	Assessed Valuation in \$	Assessed Valuation in \$
Horses	Horses	Passenger
Cattle	Cattle	Autos
Mules and Asses	Mules and Asses	Trucks and
Sheep	Sheep	Busses
Hogs	Hogs	Cattle
Steam Engines	Steam Engines	Horses and
and Boilers	and Boilers	Mules
Safes	Safes	Sheep and
Billiard Tables	Billiard Tables	Goats
Carriages and	Carriages and	Swine
Wagons	Wagons	House Furni-
Watches and	AUTOMOBILES	ture
Clocks	Watches and	Off. & Store
Sewing Ma-	Clocks	Furniture
chines	Sewing and	Personal Ef-
Pianos	Knitting Ma-	fects
Melodians and	chines	Mach. & Equip.
Organs	Pianos	Mdse. Goods in
Franchises	Melodians and	Production
	Organs	Cash and De-
	Franchises	posits
	Patent Rights	Net Credits
	Value of	Taxable Stocks
	Enumerated	& Bonds
	Property	Mtgs. & Notes
		Other Person-
		alty
Value of		
Enumerated		
Property		
Merchandise		
Other Unnumer-		
ated Property		
Total Value -		
Unenumerated		
Property		

Total Value - Personal Property	295,762	Value of Per- sonal Prop- erty	3,438,844	Capital Stock (Domestic)	17,920
Improved Lands	184,434	Value of Lands	9,289,937	Pub. Utility Personalty	425,475
Unimproved Lands	75,107	Value of Lots	4,566,838	Penalties	485
Total Lands	259,541	RR Personal Property and Land D	661	Unimproved Land	197,205
Improved Town and City Lots	743	Value of all Property Assessed	17,296,280	Improved Land	1,430,890
Unimproved Town and City Lots	814	Equalized Value	18,109,516	Improvements	2,929,675
Total - Town and City Lots	1,557			Coal Rights	2,473,810
Class C Person- al Property RR				Oil Leases	- - -
Total - all Property	3,128,146			Unimproved Lots	314,130
				Improved Lots	1,010,750
				Improvements	3,074,350
				RR Land - D	1,377
				RR Lots - D	- - -
				Personal Prop- erty C	313
				Total Prop- erty Local- ly Assessed	14,016,580

1. Illinois State Board of Equalization, Proceedings, Season of 1900, p. 103, 105, 108, 111, 114, 117, 129, 134, 138, 142; Illinois Tax Commission, First Annual Report, 1919, p. 29, 31, 34, 36, 40, 44, 210, 214, 218; idem, Seventeenth and Eighteenth Annual Report Assessment Years 1935 and 1936, p. 105.

TABLE IV: TAXABLE PROPERTY LIST, 1854¹

Item	Number	Amount of Collectable Taxes (\$.35 per \$100)
Horses	2,762	\$1,032.20
Mules and Assess	380	172.57
Cattle	9,277	813.67
Sheep	7,529	75.29
Hogs	29,142	301.53
Carriages and Wagons	595	201.38
Clocks and Watches	528	36.69
Goods and Merchandise		153.80
Manufactured Articles		31.26
Monies and Credit		356.16
Unenumerated Property		<u>448.58</u>
Aggregate		\$3,623.13
Deductions		<u>109.11</u>
Total		\$3,514.02
Total Value of Lands		3,804.51
Total Value of Town Lots		<u>218.89</u>
Total Value of Real and Personal Property		<u>\$7,537.42</u>
State Tax at \$0.49 1/3		\$3,718.46
County Tax at \$0.35		<u>2,638.10</u>
Total Tax Levied		\$6,356.56

1. County Court Record, v. D, p. 56, in Supervisors' Record, see entry 2. The figure \$7,537.42 is probably the gross total tax levied and the \$6,356.56 is probably the net total tax levied. The revenue from the swamp lands given to the states by Congress in 1850, and by the State of Illinois to the counties in 1852, helped bolster up the county's income. Various state laws provided that the funds realized from the sales be used for the construction of levees and drainage, for the building of bridges and roads, and for the promotion of education, "or for such other purposes as may be deemed expedient by the [county] courts" (L. 1852, p. 178; L. 1857, p. 122; L. 1859, p. 201,202). In 1852 the Franklin county board appointed Levi Browning as drainage commissioner in charge of the 40,416 acres received by the county. In the final report which he filed he showed that he had disposed of the lands at prices varying from \$0.25 to \$4.25 per acre, and that the total proceeds amounted to \$20,466.83 (ibid., p. 371,423; History of Franklin County, p. 354).

Historical Sketch

Rise of Social Institutions - School and Church

County Control of Education

The increase of wealth in Franklin County, as shown by the taxable property lists, affected the growth of schools, churches, and other social institutions. The very earliest log-cabin schools, the first of which was probably the one started in the Launis settlement in 1818, were subscription schools. Although the national government was liberal in making land grants for school purposes, the people of the local community did not always feel that they were in a position to impose additional taxes to support public schools. The progressive act of 1825, for example provided for the establishment of tax-supported schools, but in 1827 the section dealing with finances was amended taking the bottom out of the earlier act.¹ The act of 1827 also allowed the officials of the county to sell the school lands,² and within a short period of time the 7,680 acres of Congressional school lands were sold for a total sum of only \$6,888 - according to one source.³ Later state laws dealing with education continued the general policy of allowing the local citizens to control their educational institutions through the ballot box; and, as the reports of the school commissioners in the first years show, much more attention was given to the problems connected with the sale of lands, the terms of the sales, the expenditure of funds, and the officials' fees and expenses than to those dealing with the curriculum and general administration.⁴

It was not until the act of 1855 was passed, providing for tax-supported schools supervised by the state superintendent of schools, for state certification of teachers, and for the keeping of records of attendance and promotion that the county saw the establishment of an elementary school system.⁵ Table V shows the gradual increase in the number of schools, pupils, and teachers in Franklin County from 1869 to 1920 (as well as data for the years after 1920).

The number of pupils during the period 1901-1929 more than trebled, reflecting, in part, the influx into the county of many immigrants to work in the coal mines. These immigrants added to the number of illiterate in the county (in 1934 the percent of illiterate inhabitants in Franklin

1. L. 1825, p. 121; R.L. 1827, p. 364,365.

2. Ibid., p. 366-68.

3. History of Franklin County, p. 419,420. See also R.L. 1829, p. 150-58; L. 1845, p. 51-74.

4. (County Court Record), v. D (1838-46), p. 16,17,19,20,79,103, in Supervisors' Record, see entry 2.

5. L. 1855, p. 51ff.

TABLE V: SCHOOL STATISTICS, 1869-1937¹

	1869	1881	1901	1911	1920	1929	1937
Children, 6-21 years	5,339	6,101	7,094	8,247	17,428	19,516	15,391
No. of Pupils	3,742	4,913	5,831	7,085	14,983	17,868	13,675
No. of School Districts	54	70	89	98	107	105	104
No. of Schools	54	67	89	104	128	141	129
No. of Teachers	61	98	133	161	338	510	442
Private Schools	1	1	--	--	--	--	1
Pupils: Private Schools	69	37	--	--	--	--	158
Av. Mo. Wage: Male Teachers	--	\$ 31.27	\$ 35.46	\$ 51.37	\$ 82.35	\$ 124.40	\$ 104.98
Av. Mo. Wage: Female Teachers	--	27.39	31.64	45.44	63.14	92.78	77.74
Value: School Property	\$19,188.50	28,769.00	49,917.00	190,885.00	993,260.00	2,311,565.00	2,594,749.00
Annual Expenditures	15,687.55	22,092.42	33,037.20	98,386.90	648,103.00	939,501.50	715,699.00
District Tax Levy	--	13,871.00	25,741.50	87,211.80	508,828.00	1,306,950.00	542,923.00

1. Figures obtained from Biennial Reports of Superintendents of Public Instruction. Eighth, 1869-1870, p. 288,292,304,344; Fourteenth, 1880-1882, p. 362,366,368,378,380; Twenty-fourth, 1900-1902, p. 180, 184,188,200,219; Twenty-ninth, 1910-1912, p. 624,628,632,644,648,661,685,776; Thirty-third, 1918-1920, p. 14,22,28,50,52,61,132; Thirty-eighth, 1928-1930, p. 14,22,28,50,52,60,69; Statistical Report for the Year Ending June 30, 1937, p. 2,10,16,28,38,40,44,50.

Historical Sketch

County was 3.6).¹ After 1929 the economic depression caused a decline in the expenditures for education, as well as a very sizeable decrease in the district tax levy for school purposes.

Higher Education

Secondary educational institutions, like elementary educational ones, did not fare well during the ante-bellum period. Although permission was granted to several institutions of the secondary level to open their doors (Franklin Institute, 1835; Franklin Academy, 1839; Brainbridge Academy, 1839; Benton Academy, 1841; and Fancy Farm College, 1841), none had any real existence other than on paper.²

Ewing College, established in 1867 by Professor John Washburn, was the first secondary institution which functioned in the county. In 1874 it became the collegiate division of Ewing High School only to lose its separate identity within a few years.³ For university training some of the county's youth went to the University of Illinois -- there were 65 Franklin students in attendance, on the average, during the years 1923-1932.⁴

Workingmen's Institute, 1858

A very interesting experiment in adult education took place in Franklin County when, as a result of the will of a certain William McClure of Posey County, Indiana, a bequest was left for the benefit of organizing a workingmen's literary society. In September, 1858 a society was organized calling itself the "Workingman's Institute of Franklin County." The officers were: Charles Huntgate, chairman; James M. Bailey, secretary; and George A. Martin, assistant secretary. The lengthy constitution, drawn up by John McLean, Handonis Johnson, and Silas Jones suggested that the society "be composed entirely of men who work with their hands," and that the purpose was to exercise the members in "reading, declamation, composition, original oration, and debate." No further data is available on the future proceedings of this rather unusual debating society.⁵

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1. University of Illinois, College of Agriculture, Information Pertaining to Farm, Home and Community, Area 7C, p. 45. (Hereinafter cited as Farm, Home and Community.)
 2. L. 1835, p. 182; Priv. L. 1839, p. 168, 230; L. 1841, p. 20, 63.
 3. History of Franklin County, p. 421; Aiken, Franklin County History, p. 145.
 4. Farm, Home and Community, p. 45.
 5. County Court Record, v. D, p. 317-33, in Supervisors' Record, see entry 2.

Early Church Denominations

Unlike the early apathy toward the establishment of schools, the early settlers were not slow in organizing themselves into church groups. Among the early settlers were ministers belonging to the Baptist, Methodist, and Christian denominations. The Reverend John Browning founded the first Baptist church in the county and John Launis founded the first Methodist church.¹ Young Braxton Parrish, on his way to Illinois from North Carolina stopped at Nashville, Tennessee to buy a Bible for his last \$2.50, and together with his wife, two children, two horses, and other worldly possessions, arrived in Franklin to begin his long tenure as a servant of God.² The Mulkey family, after whom Mulkeytown was named, together with their relative, John Kirkpatrick, in 1823 organized the first Christian Church in the state, in Tyrone Township. As was common in frontier days, these early ministers and their families, like the first settlers, were usually engaged in many economic pursuits besides serving their communities as religious leaders. They were hard-working, courageous, practical, yet deeply emotional men conquering the spiritual frontier and fulfilling, what they felt, was their clear Christian duty.

Present Church Membership

The number of churches grew and multiplicity of denominations increased as new settlers came into the county. By 1940 we find 79 churches in Franklin having an estimated membership of 11,427 members. These were divided among the various denominations as follows: Methodists, 2,951;³ Baptists, 399;⁴ Southern Baptists, 5,096;⁵ Disciples of Christ, 2,528;⁶ Congregationalists, 32;⁷ Evangelical Lutherans, 55;⁸ Episcopalians, 91;⁹

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1. Aiken, Franklin County History, p. 25.
 2. Watching Parrish's arrival Alexander McCreery remarked that he would be better equipped with a grubbing hoe than with a Bible. Parrish pursued the usual tasks of a pioneer, served as county official, and as religious mentor in his community. The congregations and religious meetings organized by him gave to the settlers a much needed social life in their hard and bleak existence (*ibid.*, p. 47,48).
 3. Methodist Episcopal Church, Minutes Annual Conference (Fall, 1937), p. 288,289.
 4. Illinois Baptist State Convention, Illinois Baptist Annual 1937, p. 123.
 5. Southern Baptist Convention, Annual (1939), p. 488-90.
 6. Disciples of Christ, 1938 Year Book of the International Convention, p. 350.
 7. Congregational and Christian Churches, Year Book, Statistics, 1938, p. 103-10.
 8. Evangelical Lutheran Synod of Missouri, Ohio and Other States, Statistical Year-Book 1938, p. 124.
 9. Protestant Episcopal Church in the United States of America, The Living Church Annual, Year Book 1939, p. 238,357,358.

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Christian Scientists, 25;¹ and Catholics, 250.²

Economic Development

Population and Immigration

The heterogeneity in church membership described in the previous paragraph can be understood more readily when one studies the population and immigration figures for Franklin County. In Table VI the rapid

TABLE VI: POPULATION AND FOREIGN BORN, 1820-1940³

Census Year	Total Population	Foreign Born
1820	1,763	--
1830	4,083	--
1840	3,682	--
1850	5,681	23
1860	9,393	69
1870	12,652	72
1880	16,129	144
1890	17,138	?
1900	19,675	152
1910	25,493	1,731
1920	57,293	8,851
1930	59,442	7,513
1940	53,137	--

1. The Christian Science Journal (December, 1939), p. 13,14.
2. The Official Catholic Directory, 1935, p. 201-3. There were, many more Roman Catholics in the county as indicated by the number of immigrants coming from predominantly Catholic countries. Moreover, there were probably several hundred members of the various Greek Orthodox sects. See Table VII.
3. U.S. Bureau of the Census, Ninth Census of the United States, 1870, v. I, Population, p. 23,308 (statistics for years 1820 to 1860 inclusive also included in this volume); Tenth Census, 1880, v. I, Population, p. 387; Twelfth Census, 1900, v. I, Population, p. xli, 499 (statistics for the year 1890 included in this volume); Thirteenth Census, 1910, v. I, Population, p. 106; Fourteenth Census, 1920, v. III, Population, p. 253; Fifteenth Census, 1930, v. III, Population, p. 602,636,637; Population of the State of Illinois, 1940, Series p-2, No. 47 (G-12), January 11, 1941 (Press Release).

increase of the foreign born is clearly evident: by 1920, for example, one person out of every 6 1/2 was born outside of the United States. Moreover, these people came, in the main, from southern and eastern European countries (Table VII) bringing with them ways of living quite different from the American way of life. The story of their adjustment to the economic and social life in the county is outside of the scope of this sketch; yet the succeeding sections, especially the one on coal,

TABLE VII: NATIVITY OF FOREIGN BORN (1930)¹

Northern and Western Europe		Southern and Eastern Europe; Other Areas	
Country	No.	Country	No.
Finland	68	Russia	121
Sweden	12	Latvia	3
Norway	1	Lithuania	862
Denmark	4	Poland	831
Germany	338	Czechoslovakia	448
Netherlands	2	Hungary	225
Belgium	102	Jugoslavia	798
Luxemburg	11	Rumania	11
Scotland	351	Greece	108
England	877	Italy	1,489
Wales	58	Turkey	4
Austria	267	Palestine	2
France	376	China	2
Ireland	29	Mexico	2
Total	2,496	Total	4,906

will show the share they contributed to the economic welfare of Franklin County.

Agriculture Past and Present

Until the coming of the coal era and the immigrant coal miners, agriculture was the leading industry of the inhabitants of Franklin. The

1. See footnote for Table VI. The total number of foreign-born in this table is 7,402: 111 less than the total in the county in 1930 (Table VI). This difference is explained by the fact that the number of Swiss in the county is not given in the census figures although Switzerland is listed as a source for immigration into Franklin.

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settlers found many ordinary frontier difficulties in their way during the early decades after the establishment of the first settlements. Claim jumpers and land speculators had to be fought off, crops raised and gathered, and ways to markets found. As early as 1859 we find a farmers' organization in the county, the Franklin County Agricultural Board, which bought in 1863, a tract of land adjoining Benton and held its annual fairs there for many years.¹ This organization, like many other similar farm groups, was later disbanded.

Although actual railroad construction in Franklin did not begin until the late 70's, resentment against their unfair practices and monopolistic character found early expression among the farmers of the county. The farmer attributed the relative decline of his importance in the national economy to the rapacity of the various business interests close to him.² With the beginning of the coal industry the farmer was definitely shoved into a secondary economic position.

The farmer saw a decline in the number of farms in the county from 3,050 in 1900 to 2,071 in 1930,³ and found that he belonged to an economic minority: only 16.6 percent of the county's population in 1930 were

TABLE VIII: RELATIVE FERTILITY OF SOIL IN FRANKLIN COUNTY⁴

Soil Produce Per Acre	Franklin	Illinois
Corn (Bushels)	21.9	34.9
Oats (Bushels)	19.4	32.4
Winter Wheat (Bushels)	12.1	16.4
Barley (Bushels)	30.0	27.6
Rye (Bushels)	11.0	13.6
Soybeans (Bushels)	9.3	16.7
Tame Hay (Tons)	1.1	1.25
Crop Yield Index	63.2	100.0

1. History of Franklin County, p. 357.
2. A. E. Paine, "The Granger Movement in Illinois," University Studies, v. I, No. 8 in University of Illinois Bulletin, II (1904), 1,78.
3. U.S. Bureau of the Census, Twelfth Census of the United States, v. V, Agriculture, p. 72; Fifteenth Census, v. II, Part 1, Agriculture, p. 570.
4. Farm, Home and Community, p. 14. The crop yield index is a weighted average for each county based on yields of corn, oats, and wheat. Weighting is according to the average of the various crops in the county in 1929.

farmers.¹ The number of acres of improved land decreased from 185,415 acres in 1900 to 176,380 acres in 1930 and the value of farm production declined from \$1,093,524 to \$990,236.² The soil of Franklin County, which was never as fertile as the soils of central and northern Illinois, was reduced still more in its fertility because of many years of improper cultivation and erosion. A University of Illinois soil survey stated that 6 percent of the county's soil was destructively eroded; 10 percent seriously eroded; and 64.6 percent harmfully eroded.³ Table VIII shows still more clearly the proportionate inferiority of the land yield of Franklin County as compared to the average yield per unit in the state.

Moreover, the farm and land values in Franklin County were far below the state average. In 1930 the total average value of a farm in Franklin was \$3,379; in the state, \$15,553. The value per acre of land and buildings in the county was \$39.57; in the state, \$108.68.⁴ The county's farms had a lower average tax rate in relation to the state (57 cents was the average tax on a county acre of land and buildings; in the state it was \$1.15); also the percent of owner-operated farms mortgaged in 1930 in the county was 23.5 and in the state, 41.3. The average mortgage debt for the two units was \$1,134 in the former and \$6,182 in the latter. Lastly, the average rate of interest on the mortgage debt was less in the state (6.5 percent in the county and 5.8 in the state) since an investment in county farm lands was considered less desirable and a greater risk.⁵

There were, on the other hand, certain aspects in the farm situation which may be interpreted less alarmingly. While it is true that the farm lands in Franklin County were not considered as good financial investments as the average state farm lands, the fact that less farms were mortgaged meant less tenant farming. In 1930, 64.9 percent of the farms in Franklin were owner-operated; 0.9 percent operated by managers; and 34.2 percent operated by tenants - making the percentage of tenant farming in the county considerably less than it was upstate.⁶ Mechanization of farm equipment in the county (as in the whole nation) also had its advantages as well as its disadvantages. While it is true that a good percent of agricultural labor joined the mining and manufacturing ranks yet the agricultural machines made the physical task of the farmer easier and increased the productivity of the average workman beyond the wildest expectations of any average pre-machine farmer. Thus

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1. Farm, Home and Community, p. 2.
 2. Ibid., p. 3; U.S. Bureau of the Census, Twelfth Census, v. V, Agriculture, p. 273; Fifteenth Census, v. II, Part 1, Agriculture, p. 570,639.
 3. Farm, Home and Community, p. 11.
 4. Ibid., p. 37.
 5. Ibid., p. 38.
 6. Ibid., p. 37.

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the average workman on the farm was able to produce 150 percent more in 1930 than in 1870.¹ Moreover, the farmer in Franklin lived to witness the beginnings of technological unemployment in mining and of a back-to-the-farm movement in the 1930's.² In Frankfort Township, for example, forty-seven new farms, five to ten acres each, were established by miners, each farmstead having, on the average, one horse, one milk cow, twenty-four hens, an acre or two garden land and the rest pasture land; and, in the same year, one building and loan office in Benton sold 63 houses that were removed to the new farms.³

The rise of the modern farm bureau also offered farmers some consolation. As early as 1913 these ~~now~~ aids to the farmers began to disseminate information among the farmers on scientific farming and the business of marketing farm products. In 1919, under the leadership of Robert Wark, farmer and banker, a farm bureau was organized in the county.⁴ Henry DeWerff was employed as the first farm advisor, J. R. Midyett was elected president, H. H. Webb, vice-president, and Lloyd Pickard, secretary-treasurer. In November, 1936 some of the farmers from Hamilton County who were members of the Franklin County Farm Bureau together with other Hamilton farmers requested that their county be given fuller recognition; the name of the organization was thereupon changed to Franklin-Hamilton County Farm Bureau. Offices are maintained in the two county seats.⁵

The membership of the Farm Bureau fluctuated considerably during the first two decades. Starting out in 1919 with 585 members, the number dropped to 175 in 1923, rose to 281 in 1926, dropped again to 173 in 1929 and rose again to 207 in 1931. Four years later there were only 89 members in the organization - the lowest number since its inception; but by December, 1939 the number had again risen to 326 - partly due to the union with Hamilton County. The officers in 1940 were: John C. English, president; Fred Phillips, vice-president; and Bobbie Armstrong, secretary-treasurer. The executive board was composed of H. H. Webb, Ed Dollins, Henry Spears, D. M. Garrison, John Erkman, and Edo Melton. Jerome A. Embser was the Farm Advisor.⁶

Another venture into more scientific agriculture was made when an experimental farm was established in 1919 in Ewing Township. The land

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1. Francis M. Vroeland and Edward J. Fitzgerald, Farm-City Migration and Industry's Labor Reserve, Report No. L-7, p. 4.
 2. V. B. Fields and R. S. Rains, Current and Recent Land Occupancy in Illinois, p. 7.
 3. Ibid., p. 9,10.
 4. Information obtained from Jerome A. Embser, Farm Advisor, Franklin-Hamilton Farm Bureau.
 5. Ibid.
 6. Ibid.

was purchased by Ewing College with the assistance of interested friends and donated to the University of Illinois. The farm is now functioning under the supervision of the Agricultural Experimental Station of the University.¹

A last glance into the farm records of Franklin County in 1929 would reveal that the crops most extensively cultivated and the percentage of crop land they occupied were: corn, 19.4; winter wheat, 2.5; spring grain, 4.6; and hay, 16.1. Lands under pasture totaled 30.2 percent; and those classed as idle, fallow, and failure, 22.5 percent. The income of the farmer in 1930 was derived from the following sources: crops, 11.3 percent; livestock, 21.6; livestock products, 35.5; and forest products, 1.2. The operators of the farm, be they owners or managers, consumed 30.4 percent of their own products, and they had 1,172 farm automobiles, 128 motor trucks, and 159 tractors to help them cultivate and gather their crops and transport them to market.²

Business and Manufactures

Of lesser significance than agriculture in the early economic life of the county were the various other occupations. The ferryman, tavern-keeper, general storekeeper, miller, blacksmith, and harnessmaker appear very early in the county. The important media of exchange were furs and agricultural products. The produce of the county was disposed of by the merchants of Franklin in Kaskaskia and Shawneetown, manufactured articles being brought back by wagon. With the improvement of roads the principal trade was carried on with St. Louis. Levi Browning, one of the earliest merchants, calculated that it cost about 40 cents per hundredweight to transport products by horse and wagon to market and as much to bring other merchandise back.³

In early frontier days there were no mills in the vicinity of Franklin and the early settlers ground their grain in home-made contrivances. In 1834, however, Jacob Phillips built the first mill near the waters of the Fork Creek at Macedonia, and in 1838 another mill was erected on the Big Muddy River. John Ewing set up his mill in 1842 on Middle Farm about five miles east of Benton. These mills were water-power ones, the first steam-driven mill not being built until 1850 near Benton by Augustus Adams.⁴

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1. University of Illinois Agricultural Experimental Station, The Illinois Soil Experiment Fields, Ewing Field, Franklin County, Bulletin No. 273, p. 111.
 2. Farm, Home and Community, p. 13, 35, 38.
 3. History of Franklin County, p. 355.
 4. Aiken, Franklin County History, p. 42.

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The census figures tell the story of the development of trade, commerce, and manufacturing in the county. In 1840, 4 individuals in the county were listed as engaged in manufacturing and trades, 10 in commerce, 3 in mining, 4 in navigation, 40 in professions, and 567 in agriculture.¹ The 1860 Census gave a more detailed listing of the status of manufacturing. It mentioned 17 manufacturing establishments including the carriage, boots and shoes, flour and meal, blacksmithing, furniture, leather, lumber, saddlery and harness, tin, copper and sheet ware, and wool carding industries. Each had one place of business except the milling and carriage establishments: there were 4 flour mills, 4 saw mills, and 2 carriage works. The total number employed in these industries was 37; the cost of labor, \$10,320; the capital investment, \$24,880; and the total value of the products, \$77,901.²

The census of 1880 showed no remarkable development of industry in the county considering the industrial boom that was on in full force throughout the state. In that year there were 18 manufacturing establishments in the county with a capital investment of \$69,200 and a total value of products of \$253,458. The total wages paid to the 74 employes amounted to \$20,805.³ Measured by the relative inactivity during the preceding decades the development of manufacturing establishments by 1900 was substantial - although they were still not too important if measured in terms of the number of workers employed and amount of capital involved. The total value of products in that year was \$319,778; the capital investment, \$165,736; the average number of employes in the 48 establishments, 108; and the total amount of wages paid, \$40,239.⁴

The first two decades of the twentieth century saw a considerable development of industrial activity in the county. In 1919 there were 42 manufacturing establishments in the county and the value of their output was \$1,031,778. The average number of wage earners employed was 175 and the total wages paid was \$196,210.⁵

After the great depression the general trend toward large corporate enterprises was visible in the county. While the number of establishments dropped from 42 (1919) to 20 (1937), the total value of products decreased

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1. U.S. Bureau of the Census, Sixth Census of the United State, 1840, p. 379.
 2. Ibid., Eighth Census of the United States, 1860, Manufactures, p. 89.
 3. Ibid., Tenth Census of the United States, 1880, v. II, Manufactures, p. 107.
 4. Ibid., Twelfth Census of the United States, 1900, v. III, Part 2, Manufactures, p. 168, 169.
 5. Ibid., Fourteenth Census of the United States: 1920, v. IX, Manufactures, p. 311.

only slightly more than \$116,000. The average number of employees was 151 and the total wages paid amounted to \$151,689.¹

Soon after the beginning of the century, when it became apparent that Franklin County was destined to be a coal-producing county of some consequence, certain local businessmen embarked upon real-estate promotion schemes. New banking facilities were established so that by 1906 there were eight banks in the county: three at Benton, two at West Frankfort, and one each at Christopher, Ewing, and Thompsonville;² and The Franklin County Independent declared in 1906 that "Franklin County has every indication of becoming the Pittsburg of the central west."³ On the strength of this prediction Benton real-estate firms urged the citizenry to buy lots on the easy-payment plan. "Go and look the ground over," read an advertisement in the Independent;⁴ or, "Be on the ground at 10 o'clock a.m. . . . The Early Bird Gets the Worm. One Dollar a week will make you a land owner . . . Will put you on the road to prosperity. Will start you toward independence in old age."⁵

Vague rumors, fantastic yet attractive, were spread to induce the public to buy land. The Independent revealed in 1907 that "ten rich Austrians" were buying up 60,000 acres of land in the northeast part of the county. Two of these mysterious Austrians were, according to the paper, owners of eleven thirteenths of all the coal mines in their native land and were buying lands in the county in order to mine coal and export it to Austria.⁶ In 1912 Jesse Dimond stimulated interest in land buying by announcing that a modern stove factory was to be established in Benton. The Benton Standard announced this bit of news as follows: "Through the efforts of Jesse Dimond and Co., the enterprising real estate dealers of this city, Benton has a great opportunity to secure the location of a modern stove factory. . . . Benton needs factories. . . . The mines are not the stable, everyday employers of labor which a town must have in order to grow. A new factory . . . would make a veritable boom in business, in real estate values, and in every other way in Benton."⁷ Two months later the same company advertised a "Grand

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1. U.S. Bureau of the Census, Biennial Census of Manufacture, 1937, Part I, p. 1452.
 2. "Benton Will Soon Have Its Third Financial Institution: The Coal Belt National Bank," Franklin County Independent, February 1, 1906.
 3. "Mines Now in Course of Development," Franklin County Independent, February 11, 1906.
 4. "How to Get One Of These Lots," Franklin County Independent, August 16, 1906.
 5. Ibid.
 6. Franklin County Independent, June 15, 1907.
 7. "Does Benton Want a Stove Factory?", The Benton Standard, June 6, 1912.

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Auction Sale of Factory Heights. No sales to colored people. Be it ever so humble, There is no place like home."¹

During the same year an attempt was made to promote land sales by announcing the opening of an automobile factory in Benton. In announcing this news item the Benton Standard said: "Astonishing from the start to finish in the magnificence of its achievements, Busy Bustling Benton now is the proud possessor of the Stuyvesant automobile factory - a big enterprise which any city would be glad to welcome.... In three days, one hundred and twenty lots to a value of about \$15,000, have been disposed of...."² A few days later the paper wrote about the same venture: "Messrs. Jesse Dimond & Co. and Harry Stotler and their associates are to be congratulated upon their splendid business acumen in forecasting the results of such an enterprise. No doubt there is scarcely a man or woman in Benton who is not proud to have these skillful manipulators of mother earth among us to attract the commercial industries this way."³ A pump factory was also attracted to Benton in the same year by having the citizens of Benton subscribe to about \$12,500 worth of company stock.⁴ The owners of the firm claimed to have tangible assets worth "about \$17,000 principally in patterns and equipment."⁵

The net result of these schemes forms a familiar page in the histories of similar ventures in the various towns of America. The automobile factory was in reality a small assembly plant for a car called the "Stuyvesant." After the land sale it was closed. The same fate befell the stove factory.⁶

Railroads

Since Franklin County was not a rich agricultural county, railroad promoters almost completely ignored it during the early era. Although state charters were obtained from the legislature in 1852⁷ (by an obscure combination called the Southern Railroad Company), in 1857⁸ (by the Elizabethtown and Benton Railroad Company and by the Ohio River, Alton, and Benton Rail-

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1. The Benton Record, August 12, 1912.
 2. "Benton Secures the Auto Factory," The Benton Standard, September 12, 1912.
 3. Ibid.
 4. "Benton May Get Another Factory," The Benton Standard, September 19, 1912.
 5. "Benton Lands Another Factory," The Benton Standard, October 10, 1912.
 6. Information obtained from Clyde Hobbs, city policeman of Benton, April 18, 1940, in files of the Illinois Writers Project.
 7. L. 1852, p. 200.
 8. L. 1857, p. 443,779.

road Company), and in 1861¹ (by the Belleville and Eldorado Railroad Company), no actual construction was begun under these charters within the limits of the county. It is true that the charter of 1861, granted to the Belleville and Eldorado Railroad Company, a corporation of twenty-one individuals (among whom were some prominent Franklin County citizens: William K. Parrish, Samuel K. Casey, and A. D. Duff), did make a real effort to build a railroad from Belleville in St. Clair County, by the way of Benton, to Eldorado in Saline County; yet the venture failed because the normal difficulties of financing the road developed.

It was not until 1877 that any part of Franklin County was touched by the iron horse. In that year two southern Illinois railroad promoters who had taken over the old charter of 1861 in 1875, completed a section of the Belleville and Eldorado from Eldorado to the county line of Franklin at a station called West End. After bonds were issued in Franklin to the tune of \$75,000 and railroad stock was bought with the proceeds the road was completed from West End to Benton - September 23, 1879. This road was later sold to the Alton and Terre Haute Railroad Company and its name was changed to the Cairo Shortline. In 1895 it was absorbed by the Illinois Central System.²

An interesting but not unusual event in town history occurred during the building of the West End-Benton section. The people of Frankfort learned that the road would circumvent the town by about two and a half miles. Great concern was felt for the future of Frankfort since ordinarily a town without a railroad was doomed. The people of Frankfort therefore proceeded to move their houses and business establishments toward the new depot, called West Frankfort. In time the two towns grew together and they are now listed in the census under one name - West Frankfort.

Another road which was built before the coal era through Franklin County was the Chicago, Paducah, and Memphis Railroad. This road was controlled by the Johnson Brothers of St. Elmo, Fayette County and ran from St. Elmo to Marion, Williamson County.³ It was completed in 1894 and absorbed by the Chicago and Western Railroad Company in 1897.⁴

Since the development of coal mining in the county a number of other railroads were built giving Franklin excellent transportation facilities. Today four trunk lines serve the county: The Chicago, Burlington, and Quincy; the Missouri Pacific Railroad; the Chicago, and Eastern Railroad;

1. Priv. L. 1861, p. 485.

2. Aiken, Franklin County History, p. 118, 119.

3. Ibid., p. 119.

4. Ibid.

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and the Illinois Central System. The total number of miles of all main and side tracks in 1939 was 283.17.¹

Coal, the Life-Blood of the County, 1905-1939

During the last four decades the place of coal in the life of the majority of inhabitants of the county has been of vital importance. Before 1905 neither the transportation facilities nor the available mining machinery gave very much hope for the development of an important coal center in Franklin. As early as 1887 one writer, realizing the latter fact, said:

The coal of Franklin County is of but little value, the seams being uniformly too thin for working. . . . Coal No. 7 is believed to underlie the county at a depth averaging from about 150 feet in the northern and western portions to about 500 feet in the central and southern portions, too deep for profitable investment in mining operation at present.²

Stated somewhat more clearly the two main circumstances limiting the rise of large-scale coal mining in the county were pointed out by Professors Bogart and Thompson in the following manner:

Illinois and Mississippi River counties (St. Clair, Sangamon, Madison, Macoupin, Vermilion, La Salle, Will, Fulton, Peoria, and Rock Island) . . . owe their early start and prominence as much to their location which is favorable to transportation, as to the abundance and good quality of their coal. Conversely, the fact that none of the five new counties of the 1917 list (Franklin, Williamson, Saline, Montgomery, and Christian) is on an important river shows the modern release of coal from the early restriction imposed upon it by lack of railroads into the interior; it also gives evidence of the new scientific methods of search, such as efficient methods of test drilling, mine planning and managing under the supervision of geologists and engineers. . . . The rise of Franklin and Williamson Counties to first and second place, respectively, in 1917, from no production at all in 1900 for the former and ninth place for the latter is a particularly good example of the effect of modern methods in an old industry.³

In spite of these two basic difficulties search for coal began at least a quarter of a century before "big business" really took over. As early as 1880 some citizens of Benton, encouraged by the discoveries in

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1. Railroad Tax Book, v. 4, p. 12,15,17,20, see entry 39.
 2. History of Franklin County, p. 336. Underlining by writer.
 3. Ernest Ludlow Bogart and Charles Manfred Thompson, The Industrial State 1870-1893, v. IV, Centennial History of Illinois, p. 422,423.

Williamson County where 68,645 tons of good coal were mined in that year,¹ dug deep wells in the town with the purpose of finding coal or, failing that, procuring water. They dug 500 feet, failed to find coal of value, and concluded that there was none in the county. Other prospectors were not discouraged, however; and sometime later W. P. Holliday discovered a valuable vein of coal in Six Mile Township but kept it a secret until his death.² It was not until the late 90's that the inhabitants of West Frankfort made another important discovery of coal in their vicinity. The news reached Chicago, and Joseph Leiter, one of its leading capitalists, went down to Frankfort, purchased about 8,000 acres of coal lands in Six Mile and Denning townships, and developed one of the largest and best equipped mines in the state at that time.³ The seam on this tract averaged about 11 feet in thickness and the coal was of a superior quality. Leiter soon built an industrial town around his mines which he called Zeigler. The town grew rapidly at first but serious labor troubles and a disastrous explosion in a mine caused much loss of life and retarded the further development of the town. Leiter sold out his interests to Bell and Zoller who opened another large mine south of the original Leiter mine.⁴

Leiter not only developed the first large-scale mine in the county but he also advertised the immense coal possibilities of the county. He soon was followed by coal men and railroad interests who acquired holdings in the county and started to exploit its natural resources, resulting in the opening of many mines, the laying of additional miles of railroad tracks, and immigration into the county. Among these pioneer coal operators were a number of local businessmen. W. H. Hart and Walter W. Williams, for example were among the first to develop the coal industry in Benton and West Frankfort. They sank the shaft later known as Deering Mine No. 11 and organized the Benton Coal Company.⁵ In 1904 they leased part of their holdings near Benton to M. E. Parenteau of Chicago who organized the Franklin County Coal and Coke Company. This part comprised about 700 acres and embraced the farms of W. H. Hart, Thomas McKemie, C. Moore, A. J. Gambill, and Mrs. Schrade.⁶ In the same year Hart and Williams sold the Frankfort Big Muddy Coal and Coke Company to J. K. Deering of Chicago, and began to develop a mine east of their Benton Coal Company.⁷ This mine was exhausted after a third of a century and was filled up between 1938 and 1940.⁸

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1. Illinois State Geological Survey, Year Book 1909, p. 260.
 2. Aiken, Franklin County History, p. 149,150.
 3. Ibid., p. 150.
 4. Ibid., p. 151,152.
 5. Ibid., p. 152.
 6. "The Boom Continues - Development Expected Soon," Franklin County Independent, January 28, 1904.
 7. "Frankfort Mine Sold; Makes Splendid Investment," Franklin County Independent, March 24, 1904.
 8. "Start Filling Up Hart-Williams Mine Airshaft," Benton Evening News, April 11, 1940.

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In 1939 there were twelve mines in the county - all deep-shaft mines producing bituminous coal. There were no strip mines in Franklin County. The most productive coal seam in the county was the Illinois Seam No. 6.¹ It is located 400 feet below the surface in the southwest corner of the county and 800 feet in the northeast part. In that seam alone there was approximately 2 billion 500 million tons of coal (all within the limits of Franklin) at the beginning of coal production.² Another one of the most productive coal mines in the world, the New Orient Mine No. 2, is located near the city limits of West Frankfort. From that shaft alone between 14,000 and 15,000 tons a day are often brought to the surface.³ This mine and Orient Mine No. 1 are owned by the Chicago, Wilmington and Franklin Coal Company. The other mines in the county, their owners, and their locations are: Bell and Zoller Coal and Mining Company, Mines Nos. 1 and 2, Zeigler; Old Ben Coal Corporation, Mines Nos. 8 and 15, West Frankfort, Mine No. 11, Caello, and Mine No. 14, Buckner; Franklin County Coal Corporation, Mine No. 5, Herrin and Mine No. 7, Royalton; Peabody Coal Company, Mine No. 18, Caldwell; and Valier Coal Company, Mine No. 1, a "captive" mine, Valier.⁴

Not long after the first flush of excitement over the discovery of the county's immense wealth in coal subsided, the troubles familiar to the industry began to come to the surface. The mine operators began to complain that the assessments were too high and the earnings on their investments were too low; and the workers soon expressed their dissatisfaction with low wages and fluctuating employment by engaging in strikes. In 1911, for example, a committee of mine operators appeared before the board of review at Benton and complained that the assessments on their properties were excessive. "The operators feel," said the Benton Standard, "that they have had an uphill pull during the past several months. Following the strike, in which they found the cost of mining greatly increased, they experienced a coal market that was anything but profitable. As a climax, they found their assessments greatly increased. Briefly, . . . a man who could make money operating a mine during the past year, could get rich at any other vocation."⁵

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1. The coal seams in Illinois and Indiana are identified by number. In nearly all other states the seams are named after the location where they were discovered.
 2. John Jones, Coal in Illinois, p. 1.
 3. Junius B. Wood, "Illinois, Crossroads of the Continent," National Geographic Magazine, May, 1931, p. 533.
 4. Illinois Department of Mines and Minerals, Coal Report of Illinois, 1939, p. 228. A captive mine is a mine the entire product of which is consumed by the firm owning it. The Valier mine is owned by the Chicago, Burlington and Quincy Railroad.
 5. "Mine Operators here Yesterday," Benton Standard, August 3, 1911.

The complaint of the operators that higher wages should mean lower county assessments did not meet with the approval of the workers. The workers felt that they were not receiving their share of the profits, and decided to make their claims very clear through the United Mine Workers of America. In 1905 the mine operators and the union reached an agreement by which the local miners were to receive, according to their skills, from \$2.87 to \$3.50 for an eight-hour day.¹ Both groups, through the representatives of their organizations, also decided to arbitrate disputes that arose between them. Yet difficulties between the workers and the operators continued: during the period from 1905 to 1932 at least six major strikes occurred in the county (1910, 1917, 1919, 1922, 1927, and 1932).² Of these, the last strike especially was characterized by much bloodshed - one of the reasons being the many disputes between the old Mine Workers Union and the new Progressive Mine Workers of America.³

TABLE IX: COMPARATIVE DAILY WAGE SCHEDULE IN COAL INDUSTRY IN THE UNITED STATES, 1921 to 1933⁴

Year	Date of Sample Pay Period	Illinois	Ohio	Pennsylvania	Kentucky	West Virginia
1921-22	Oct. 1-Feb. 15	\$8.47	\$7.49	\$6.10	\$5.72	\$6.39
1926-27	Nov. 26-Mar. 22	8.58	6.81	6.16	4.99	5.45
1927	First Quarter	6.84	4.91	5.37	4.95	5.10
1931	First Quarter	6.81	4.08	4.71	4.56	4.66
1933	February	5.10	2.83	3.03	3.01	3.12

Other problems, connected with the production and distribution ends of the coal industry, have confronted the coal people in Franklin County. Competition with coal from the low-wage areas (Table IX) in the

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1. "Mining Scale Settled," Franklin County Independent, January 5, 1905.
 2. The miners won a notable victory in 1910. See, for the various strikes, E. L. Bogart and J. M. Mathews, The Modern Commonwealth, v. V, Centennial History of Illinois, p. 171, 482; Willard E. Hotchkiss, et al., Mechanization, Employment and Output per Man in Bituminous Coal Mining, II, 222; "Workers Defend Right to Expel Marchers," Chicago Daily News, August 26, 1932.
 3. "Rebel Miners Unite to Build Strong Group," Chicago Daily News, March 15, 1932; "Business as Usual in Benton After Battle," ibid., August 25, 1932.
 4. Hotchkiss, Mechanization, Unemployment, and Output per Man in Bituminous Coal Mining, II, 233.

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TABLE X: STATISTICS ON COAL INDUSTRY, FRANKLIN COUNTY, 1905-1939¹

Year	No. of mines	Tons output	Tons used local trade	Total no. employes	Mined		Ma- chines in use
					By hand	By machines	
1905	3	136,788	2,097	413	26,565		
1906	3	387,230	9,850	696	30,772		
1907	8	863,165	16,949	1,342	381,794		
1908	10	1,678,195		1,918	574,174		
1909	11	2,442,978		2,732	841,429		
1910	10	2,071,143		2,630	499,556		
1911	15	2,356,439		3,736	403,682	1,952,757	
1912	16	4,026,815		4,472	475,737	3,551,078	
1913	16	5,232,526		5,314	259,413	4,973,113	
1914	19	6,595,799	46,667	6,452	1,472,179	5,123,620	
1915	18	7,324,644	46,975	7,798	315,171	7,009,473	333
1916	19	9,070,811	50,181	8,606	402,044	8,668,767	391
1917	21	11,317,657	70,273	10,511	364,386	10,953,271	416
1918	24	12,077,397	92,116	11,618	923,582	11,083,815	488
1919	24	11,332,912	102,849	11,855	1,484,417	9,848,495	478
1920	26	11,299,280	112,991	12,261	782,255	10,517,025	571
1921	26	12,723,700	116,173	14,264	819,596	11,904,104	648
1922	25	9,999,917	120,202	14,840	739,146	9,260,771	665
1923	27	12,845,459	135,338	16,231	994,303	11,851,156	682
1924	24	12,240,925	125,832	15,816	931,807	11,309,118	704
1925	20	13,082,622	89,233	15,007	991,725	12,090,897	632
1926	18	15,741,550	94,639	14,543	719,655	15,021,895	632
1927	19	10,360,881	85,641	15,234	270,865	10,090,016	662
1928	17	14,078,923	108,118	14,259	463,160	13,615,763	615
1929	18	14,819,448	100,606	12,287	281,443	15,021,895	632
1930	16	11,997,347	84,016	10,670	161,320	11,836,027	421
1931	15	9,531,560	38,840	10,064	39,137	9,492,423	386
1932	14	7,064,359	39,028	9,441		7,064,359	299
1933	14	6,703,883	54,653	7,900	32,268	6,671,615	264
1934	15	7,780,162	88,686	8,407		7,780,162	279
1935	12	7,985,155	79,694	6,907		7,985,155	210
1936	15	9,432,140	98,397	7,697		9,432,140	241
1937	13	10,108,267	100,992	6,795		10,108,267	207
1938	12	7,873,999	88,563	6,611		7,873,999	196
1939	12	8,653,916	96,831	6,504		8,653,916	182

1. Illinois Bureau of Labor Statistics, Coal Report of Illinois (1905), p. 354; (1906), p. 340; (1907), p. 336; (1908), p. 358; (1909), p. 388; (1910), p. 420; Illinois State Mining Board, Coal Report of Illinois (1911), p. 358; (1912), p. 392; (1913), p. 262; (1914), p. 252; (1915), p. 236; (1916), p. 254; Illinois Department of Mines and Minerals, Coal Report of Illinois (1917), p. 268; (1918), p. 256; (1919), p. 240; (1920), p. 240; (1921), p. 236; (1922), p. 210; (1923), p. 208; (1924), p. 272; (1925), p. 284; (1926), p. 212; (1927), p. 204; (1928), p. 206; (1929), p. 194; (1930), p. 190; (1931), p. 204; (1932), p. 216; (1933), p. 284; (1934), p. 240; (1935), p. 236; (1936), p. 230; (1937), p. 246; (1938), p. 222; (1939), p. 228.

south and east has caused drastic fluctuations in the production of Illinois coal. This problem has been met, in part, by the increased use of machines in mining resulting in greater efficiency and economy in production and in technological unemployment. Whereas in 1923 only 0.2 percent of the coal in Franklin was mechanically loaded, in 1928 the percentage had risen to 13.5; in 1931, 59.4; and 1937, 70.7 - giving the lead to Franklin County mines in the use of mechanized equipment.¹ Machines to mine the coal were also introduced very early in the history of the industry. By 1923 (when the greatest number of mines were in operation) there were 682 machines in use; and of the 12,845,459 tons produced only 994,303 tons were mined by hand.² In 1932 and 1934 to 1939 all the coal was mined by machine.³

The distribution problem was not solved so easily, although coal was still the most important energy producer the demand for it grew progressively less during the 20's and 30's. This decrease was the result of economies in the use of coal, the competition of other sources of energy, and the effects of the great depression. The higher wage of labor in the Illinois coalfields as compared to the eastern coalfields (Table IX) naturally affected the amount of coal sold too. In the long run the worker felt the effects of these factors which were beyond his control - from 16,231 employees in the Franklin County coalfields in 1923 the number decreased to 6,504 employees in 1939 (Table X). In 1939 it seemed as if the greatest boom days in the coal industry belonged to the past.

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1. Hotchkiss, Mechanization, Employment, and Output per Man in Bituminous Coal Mining II, 215.
 2. Illinois Department of Mines and Minerals, Coal Report of Illinois, 1923, p. 208.
 3. Ibid., 1932, p. 216; 1933, p. 284; 1934, p. 240; 1935, p. 236; 1936 p. 230; 1937, p. 246; 1938, p. 22; 1939, p. 228.

2. GOVERNMENTAL ORGANIZATION AND RECORDS SYSTEM

Introduction

The county in Illinois is a corporate body¹ and an administrative unit of the state; its governmental organization is at all times largely an expression of this dual nature.

The growth of the county as a body politic is reflected, in each of the state's three constitutional periods, in a progressive expansion of the powers which may by law be exercised by the county board, and in the creation of new, and the extension of existing, county offices. The latter phase of growth in Franklin County and in others similarly organized at present, has also been affected by the adoption of township organization, which for the first time constituted the civil towns as an additional level of government.

An analogous development appears in the state's invasion of new fields of government and the extension of the county's role as its agent. Originally, the county performed but a single important function for the state, that of collecting its share of the taxes levied within the county. Since then, however, education, public health, registration of vital statistics, public assistance, and many similar if less important matters have entered the province of state control or supervision. To effect this control, new governmental units, subcounty districts of various types, have come into existence or have been converted to new purposes; the county, because of its intermediate position, has become more important as a medium of that control.

Thus the complete operation of county government in Illinois brings in to play a number of partly distinct authorities. Their relationships, at any time, are complex. The changing governmental organization of Franklin County, therefore, is more easily traced from the viewpoint of the major functions of the county government.

General Administration

General administrative jurisdiction over county business has always been vested in the county board. Jurisdiction over county affairs in Franklin County was first vested in the territorial county court which was composed of three judges.² Several days after the creation of Franklin

1. R.L. 1827, p. 107; R.S. 1845, p. 130; R.S. 1874, p. 306.

2. Nathaniel Pope, ed., Laws of the Territory of Illinois, II, 346, 349.

County this court was replaced by "the Justices' Court" which was composed of all the justices of the peace in the county, three of whom constituted a quorum to do business.¹ During the first constitutional period the county commissioners' court acted as the county board in all counties.² It was expressly declared to have no original or appellate jurisdiction in civil or criminal actions, but had all power necessary to the exercise of its jurisdiction in cases concerning the public affairs of the county collectively.³ The commissioners were constitutional officers,⁴ and elected;⁵ the court existed solely by statutory provision.⁶ Attached to it in a ministerial capacity was the independent statutory office of clerk of the county commissioners' court,⁷ at first filled at the appointment of the court,⁸ later by election.⁹

Under the second constitution, the newly created county court succeeded to the position of the county commissioners' court.¹⁰ As an administrative body,¹¹ it was composed of the county judge, an elected, constitutional officer,¹² and two justices of the peace, elected at large.¹³ Another new office, that of clerk of the county court, was created to provide it with a ministerial officer; the clerk also was elected.¹⁴

The Constitution of 1848 also made provision, for the first time, for an optional form of county government.¹⁵ The subsequent enabling acts¹⁶ provided that whenever the voters of a county might so determine, that county should adopt township organization; one of the principal results of such a change was to alter the form of the county board.¹⁷ The laws of 1849 and 1851 provided that the administrative body in such counties should consist of a board of supervisors, composed of members elected, one in

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1. Laws of Illinois Territory, 1817-18, p. 90.
 2. Const. 1818, Schedule, sec. 4; L. 1819, p. 175, 176.
 3. Ibid., p. 176.
 4. Const. 1818, Schedule, sec. 4.
 5. L. 1819, p. 99; L. 1821, p. 80; L. 1837, p. 103, 104.
 6. L. 1819, p. 175.
 7. Ibid.
 8. Ibid.
 9. L. 1837, p. 49; L. 1845, p. 28.
 10. Const. 1848, Art. V, sec. 19; L. 1849, p. 65.
 11. The county court was also a court of law. For its jurisdiction as such, see Administration of Justice, Courts, p. 53.
 12. Const. 1848, Art. V, sec. 17.
 13. Ibid., Art. V, sec. 19; L. 1849, p. 65, 66.
 14. Const. 1848, Art. V, sec. 19; L. 1849, p. 63.
 15. Const. 1848, Art. VII, sec. 6.
 16. The original enabling act of 1849 (L. 1849, p. 190-224) was repealed two years later by a more comprehensive but essentially similar law (L. 1851, p. 35-78).
 17. Other effects of the change, within the sphere of county government proper, appear with regard to the taxation procedure. See Finances, p. 50.

Governmental Organization
and Records System

each of the several townships.¹ The clerk of the county court was required by law to act as the ministerial officer of the new county board.² In 1872, however, that clerk was replaced by a new officer, the county clerk, whose office had been created and made elective, by the third constitution,³ and who was required by law to act as ministerial officer for the county board.⁴ Another significant change in the form of the county board has been the addition to its membership of assistant supervisors, elected from the various towns on the basis of population;⁵ the assistant supervisors have no powers or duties as town officers, but are members of the county board and as such enjoy the same powers and rights as other members.⁶

The Constitution of 1870 also provided a new form of county board in counties not under township organization. This board was to be composed of three officers, styled commissioners, who would transact all county business as provided by law.⁷ Subsequent legislation granted to the board of county commissioners all powers and duties formerly exercised by the county court when acting in its administrative capacity.⁸ Franklin County was under the county commission form of government from 1875 to 1876, and later from 1880 to 1885.

Concurrent with the changing organization of the county board is an expansion of its functions without, however, considerable extension beyond the original jurisdiction conferred upon the county commissioners' court. The authority of that body extended to the imposition and regulation of taxes,⁹ a limited but increasing management of county property,¹⁰ and a growing fiscal control, stringent in regard to tax collections,¹¹ sporadic in its check on the expenditures of other county offices.¹² The court ad-

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1. L. 1849, p. 192,202; L. 1851, p. 38,50-52. Also included in Const. 1870, Art. X, sec. 5. Township organization was first instituted in Franklin County in 1872, and after several changes to the commission form of government, the township plan was finally accepted and has been retained since 1885.
 2. L. 1849, p. 203; L. 1851, p. 52.
 3. Const. 1870, Art. X, sec. 8.
 4. R.S. 1874, p. 322.
 5. Ibid., p. 1080; L. 1925, p. 605; L. 1929, p. 774; L. 1931, p. 905-10; L. 1935, p. 1115,1116.
 6. R.S. 1874, p. 1080.
 7. Const. 1870, Art. X, sec. 6.
 8. L. 1873-74, p. 79.
 9. L. 1819, p. 175.
 10. Ibid., p. 237,238; L. 1842-43, p. 128.
 11. L. 1819, p. 238,318; L. 1823, p. 208; R.L. 1827, p. 373,375; R.L. 1829, p. 121; L. 1842-43, p. 112; L. 1845, p. 11,12.
 12. R.L. 1827, p. 266; L. 1831, p. 175.

ditionally had power to appoint judges of election,¹ select juries,² and, with limitations, to provide for the construction and maintenance of roads and bridges.³ Poor relief⁴ and a tentative supervision of education⁵ also fell within its general administrative jurisdiction.

The effect of subsequent legislation, in the main, has only been to broaden that jurisdiction. The county board has been given full power to purchase, contract for, dispose of, and make regulations concerning all real and personal property of the county.⁶ It is now required also to audit all claims against the county and the accounts of such offices as were not provided for by law.⁷ Otherwise, the changes in form of the county board in Franklin County have not materially affected the general administrative jurisdiction of that body.⁸

Finances

In Illinois counties, there has always been a close relationship between the taxation processes and fiscal control. This circumstance, as well as frequent evidence of the county board's ultimate control in such matters, appears in a resume of the legal status and duties of the officers involved.

Taxation

The assessment function in taxation was delegated by the first General Assembly to the county treasurer, a statutory officer appointed by the county commissioners' court.⁹ The administrative body, within statutory limits, fixed the amount of the levy, while, the value of many categories of real and personal property was fixed by law; however, a limited discretion was left to the assessing officer.¹⁰ Property assessments in Franklin County were first made by the county treasurer, an appointee of the terri-

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1. L. 1819, p. 90.
 2. *Ibid.*, p. 255; L. 1823, p. 182.
 3. Either by calling on the able-bodied men of the county for labor, or by raising bond issues by subscription (L. 1819, p. 333,334,336,337,343; L. 1821, p. 167; L. 1825, p. 130-33).
 4. L. 1819, p. 127; L. 1839, p. 138,139.
 5. R.S. 1845, p. 500,501.
 6. L. 1849, p. 202; L. 1851, p. 50,51; L. 1861, p. 235,236; R.S. 1874, p. 306,307; L. 1911, p. 245,246; L. 1923, p. 304,305; L. 1937, p. 453,454.
 7. L. 1849, p. 202; L. 1851, p. 51; R.S. 1874, p. 307; L. 1923, p. 299.
 8. Cf. this running summary with R.S. 1874, p. 306,307 and Ill. Rev. Stat. 1939, p. 942-44.
 9. L. 1819, p. 315.
 10. *Ibid.*, p. 313,319; L. 1825, p. 173; L. 1839, p. 4-6; L. 1840, p. 4; L. 1845, p. 6.

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torial Governor.¹ However, when Illinois became a state this officer was appointed by the commissioners' court.² In 1825, assessments were made by the county assessor, also an appointee of the county commissioners' court.³ This duty reverted to the county treasurer in 1827⁴ and continued to be vested in that office until 1839, when the General Assembly provided for the appointment by the county commissioners' court of district assessors, not to exceed one in every justice's district.⁵ The earlier system was reestablished in 1844, with the treasurer, however, now having the status of ex officio county assessor.⁶ Since 1872, the date township organization was first instituted in Franklin County, with exception of the years 1875-1876 and 1880-1885 when this county was under the commission form of government, the assessment function has been performed on the lower governmental level by town assessors, elected one in each township.⁷ Today, the principal duties of the assessing officers, taken together, are to bring up to date each year the periodic assessment of real property, to take current lists of, and appraise personal property and special categories of other property.⁸ The treasurer now has the status of ex officio supervisor of assessments.⁹

Before the creation of a board of review, the functions which today fall within its scope were performed, in substance, by various officers. In the first constitutional period, it was left to interested individuals or parties to report property omitted from assessment; the county commissioners' court could hear appeals from assessments, but there was no provision for their equalization by districts.¹⁰ In 1849 it was provided that appeals were to be made to the county court.¹¹ After institution of township organization in 1872, town boards were empowered to review the assessments within their own jurisdiction.¹² However, between 1875 and 1876 and 1880 and 1885, when Franklin County was under the commission form of government, appeals were heard by the board of county commissioners.¹³ The

1. Nathaniel Pope, ed., Laws of the Territory of Illinois, II, 600-604.

2. L. 1819, p. 515.

3. L. 1825, p. 173.

4. R.L. 1827, p. 330.

5. L. 1839, p. 4.

6. L. 1845, p. 231; effective in 1844.

7. L. 1849, p. 192; L. 1851, p. 38; L. 1871-72, p. 20-24.

8. L. 1853, p. 16,17; L. 1871-72, p. 11,14,15,19,23; L. 1873, p. 51; L. 1879, p. 241-45; L. 1881, p. 133,134; L. 1885, p. 234; L. 1895, p. 300,501; L. 1905, p. 360; L. 1915, p. 568; L. 1923, p. 495,500; L. 1931-32, First Sp. Sess., p. 69.

9. L. 1898, p. 36-44.

10. L. 1819, p. 316; R.L. 1827, p. 330; L. 1839, p. 7; L. 1845, p. 8.

11. L. 1849, p. 65.

12. L. 1851, p. 56,57; L. 1861, p. 242; L. 1871-72, p. 21,22,24,25.

13. L. 1875-74, p. 79.

county board was required to meet annually to assess omitted property, re-view assessments upon complaint, and equalize valuations between towns.¹ In 1898 this authority was transferred to the newly created board of review, composed of the chairman of the county board as ex-officio chairman, the county clerk as ex-officio clerk, and an additional member appointed by the county judge.² In 1923 the county clerk was replaced by another member appointed by the county judge;³ the board of review now appoints its own clerk.⁴

The collection function was originally performed in all counties by the sheriff.⁵ Its nature has changed little since that time. Essentially, the collecting officer collects taxes according to information originating outside his jurisdiction, pays over such sums to authorities designated by statute to receive them, and reports on payments of taxes and delinquencies.⁶ In 1839, by a development analogous to that which occurred with regard to assessments, the county board's control was extended to enable it to appoint a separate county collector.⁷ Soon after, the law reverted to the earlier situation with the sheriff acting as ex-officio collector.⁸ This situation continued until the institution of township organization when town collectors were elected, one in each township,⁹ and the county treasurer became ex-officio county collector.¹⁰ The town officers paid over their collections directly to the county officer, and supplied the basic information for the latter's summary report of the collections in the county.¹¹ From 1875 to 1876 and from 1880 to 1885 when Franklin County was under the commission form of government the sheriff was ex-officio county collector.¹² In 1917 the town office of collector was abolished in counties the size of Franklin, and the county collector became ex-officio town collector assuming all duties previously assigned to the latter officer.¹³

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1. L. 1871-72, p. 21, 22, 24, 25.
 2. L. 1898, p. 46.
 3. L. 1923, p. 496; L. 1931-32, First Sp. Sess., p. 71, 72.
 4. L. 1923, p. 496, 497.
 5. Nathaniel Pope, ed., Laws of the Territory of Illinois, II, 626; Const. 1818, Art. III, sec. 11; L. 1819, p. 316.
 6. Ibid., p. 316-18; L. 1821, p. 182, 183; R.L. 1827, p. 332, 333; R.L. 1829, p. 121-23; L. 1831, p. 125; L. 1837, p. 194, 195; L. 1839, p. 7-12; L. 1843, p. 234; L. 1845, p. 11; L. 1847, p. 81; L. 1871-72, p. 55, 57, 58.
 7. L. 1838-39, p. 7.
 8. L. 1843, p. 234.
 9. L. 1849, p. 194; L. 1851, p. 38; Franklin County first instituted township organization in 1872, and after several changes in form of county government, it reverted in 1885 to township organization.
 10. L. 1853, p. 67.
 11. L. 1871-72, p. 41, 56, 57.
 12. L. 1853, p. 99; L. 1871-72, p. 35.
 13. L. 1917, p. 793. This provision affected counties with fewer than one hundred thousand inhabitants. The population of Franklin County was 57,293 in 1920 and 59,442 in 1930 (Population Bulletin, p. 8). According to the 1940 census, the population is 53,137.

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Coordination of the taxation processes has always been effected by the county clerk or his predecessors. The assessment books are made out by the clerk, and filled in and returned to him by the assessors; similarly, the collector reports on collections on delinquent property; finally, the treasurer's receipts to the collector for taxes paid come into his possession, and the centralization of records concerning the basic taxation procedure is completed.¹

Fiscal Control

The fiduciary function in county finances is performed by the county treasurer alone. The duties of the office have remained substantially the same since its creation, namely: to receive, principally from the collectors of taxes, the revenue of the county; to have custody of its funds; and to disburse funds only on specific authorization by law, or in accordance with the order of the county board.² Through this last requirement, and that of the treasurer to report periodically to the board on the transactions of his office, in addition to his regular settlement with it, the lines of financial authority once more lead to the county board.³

Administration of Justice

Courts

Justice, in Illinois counties, has been administered by a constantly increasing number of bodies. From 1818 to 1819 it was administered in Franklin County by the territorial justices of the peace, the territorial county court, and the territorial circuit court. The Constitution of 1818 vested the judicial powers of the state in a Supreme Court and such inferior courts as the General Assembly should ordain and establish; required the Supreme Court justices to hold circuit courts in the several counties; and provided for the appointment, in such manner and with such powers and duties as the General Assembly should direct, of a competent number of justices of the peace in each county.⁴

Federal statutes already allowed circuit courts in all states jurisdiction over the naturalization of aliens;⁵ the first state legislature ad-

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1. L. 1819, p. 317; R.L. 1827, p. 373; L. 1837, p. 194,195; L. 1839, p. 8-12; L. 1840, p. 3; L. 1845, p. 9,11; L. 1853, p. 71,111; L. 1871-72, p. 32,34,35,46,56-58; L. 1873-74, p. 51; L. 1911, p. 485; L. 1917, p. 654; L. 1919, p. 765; L. 1931, p. 747.
 2. L. 1819, p. 315,316; R.S. 1845, p. 138; L. 1861, p. 239; R.S. 1874, p. 323,324.
 3. L. 1819, p. 318; L. 1837, Sp. Sess., p. 59,60; L. 1845, p. 33; R.S. 1845, p. 138,139; L. 1861, p. 239,240; R.S. 1874, p. 323,324.
 4. Const. 1818, Art. IV, sec. 1,4,8.
 5. 2 U.S. Stat. 153-55.

ditionally conferred jurisdiction over all causes at common law and chancery and over all cases of treason, felony, and other crimes and misdemeanors.¹ The legislature further required that two terms of a circuit court be held in each county annually by one of the Supreme Court justices,² but in 1824 provision was made for the holding of circuit courts by separate circuit court judges, to be appointed, as were the Supreme Court justices, by both branches of the General Assembly, and to hold office during good behavior.³ In 1827 the General Assembly repealed the 1824 law, and again provided for circuit courts to be held by Supreme Court justices.⁴ At the next session of the legislature, when a new circuit was established, provision was made for the appointment of a circuit judge to act therein.⁵ At that time, therefore, the circuit courts were held by Supreme Court justices in four judicial circuits and by a circuit judge in the fifth.⁶ A change was made again in 1835, when power to hold circuit courts was taken away from the Supreme Court justices and provision was made for the appointment of five circuit judges, in addition to the one already authorized, to hold circuit courts.⁷ The six judicial circuits existing at that time were supplemented during the next few years by the creation of new circuits,⁸ so that they numbered nine in 1841 when the office of circuit judge was again abolished and the Supreme Court justices, also increased to nine, were required to hold circuit courts.⁹ Then in 1849 another change was made in accordance with the second constitution which provided for the election of circuit judges by the judicial district electorate.¹⁰ This system has continued from that date until the present.¹¹

The authority of justices of the peace was limited by law to jurisdiction in specified civil cases and in misdemeanors, with appeals allowed from their judgments to the circuit court.¹² The power of appointment the legislature at first reserved to itself;¹³ in 1827, however, justices of the peace were required to be elected, two in each of such districts as should

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1. L. 1819, p. 380.
 2. Ibid., p. 378.
 3. L. 1824, p. 41. The Constitution of 1818, which had required that Supreme Court justices be appointed by the General Assembly, further provided that they should not, after the first session of the legislature subsequent to January 1, 1824, hold circuit courts unless required to do so by law (Art. IV, sec. 4).
 4. R.L. 1827, p. 118, 119.
 5. R.L. 1829, p. 38.
 6. Ibid., p. 42, 48.
 7. L. 1835, p. 150.
 8. L. 1837, p. 113; L. 1838-39, p. 155.
 9. L. 1841, p. 173.
 10. Const. 1848, Art. V, sec. 7, 15.
 11. Const. 1870, Art. VI, sec. 13.
 12. L. 1819, p. 185, 192, 195.
 13. Ibid., p. 22.

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be determined within statutory limits by the county commissioners' court.¹

At the time of the creation of Franklin County probate jurisdiction was vested in the territorial county court.² However, a few days after the organization of the county this jurisdiction was given to the territorial circuit court.³ Later, when Illinois was admitted to the Union, jurisdiction over probate matters was delegated to the county commissioners' court.⁴ By act of the next General Assembly, it was transferred to the court of probate,⁵ consisting in each county of one judge appointed by the General Assembly.⁶ As a result of the substitution in 1837 of probate justices of the peace for the judges of probate,⁷ jurisdiction over probate matters for the first time was placed in the hands of elected officers.⁸

The county court was the creation of the second constitution,⁹ which also made circuit judges elected officers.¹⁰ With regard to the new court, it was further provided by law that it should be held in each county by a single elected officer, the county judge.¹¹ Its authority extended to jurisdiction in all probate matters, and to such jurisdiction in civil and criminal cases as might be conferred by the General Assembly.¹² In pursuance of this latter provision, the county court was first given the same civil and criminal jurisdiction as justices of the peace;¹³ at the next session of the General Assembly, however, it was declared that county judges when exercising this jurisdiction, acted only in the capacity of justices of the peace.¹⁴ Until the next constitutional period, the county court, as such, was given jurisdiction only in a limited number of special actions;¹⁵ it was, however, considered entitled to equal jurisdiction

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1. R.L. 1827, p. 255, 256. Since 1821, however, the county commissioners' court had been required to establish such districts, which also constituted general election precincts (L. 1821, p. 74). For changes in the statutory limitations of this power, of the court, see R.L. 1827, p. 255 and R.L. 1829, p. 93.
 2. Nathaniel Pope, ed., Laws of the Territory of Illinois, II, p. 345.
 3. Laws of the Illinois Territory, 1817-18, p. 92.
 4. L. 1819, p. 223-33.
 5. L. 1821, p. 121.
 6. Ibid., p. 119. The Constitution of 1818 (Art. IV, sec. 4) had also designated this manner of election for judges of all inferior courts.
 7. L. 1837, p. 176, 177.
 8. The Constitution of 1818 (Art. IV, sec. 8) had reserved to the General Assembly the right to prescribe the manner of appointment of justices of the peace.
 9. Const. 1848, Art. V, sec. 1, 16.
 10. Ibid., Art. V, sec. 7, 15.
 11. Ibid., Art. V, sec. 17.
 12. Ibid., Art. V, sec. 18.
 13. L. 1849, p. 65.
 14. Ibid., Second Sess., p. 15.
 15. L. 1849, p. 65, 66; L. 1853, p. 103; L. 1861, p. 171, 172.

with the circuit court over naturalization.¹ In this same period, provision was made for increasing, on the basis of population, the number of justices of the peace to be elected in each district. In Franklin County, and others similarly organized, one additional justice of the peace is now elected for every one thousand inhabitants exceeding two thousand inhabitants in each town.²

Provision was first made by the Constitution of 1870 for the establishment by the General Assembly of an independent probate court in each county having a population of more than fifty thousand inhabitants.³ As first established by statute, the new courts were to be formed in counties of one hundred thousand or more inhabitants.⁴ This population requirement was lowered to seventy thousand in 1881.⁵ The population of Franklin County not having reached this figure, jurisdiction over probate matters has continued to be vested in the county court in accordance with constitutional provision to that effect.⁶ The county court, early in this period, was given concurrent jurisdiction with the circuit court in appeals from justices of the peace;⁷ its original jurisdiction was extended to be equal with that of the circuit court in all that class of cases cognizable by justices of the peace⁸ and involving in controversy sums not exceeding \$500.⁹ In 1906, however, it lost its naturalization jurisdiction since it failed to meet the additional requirement of Federal legislation that it possess jurisdiction at law without limitation upon amounts in controversy.¹⁰ The present constitution, also, for the first time, directed the manner in which the General Assembly should establish judicial circuits, requiring that circuits be formed of contiguous counties and that they should not exceed in number one circuit for every one hundred thousand of population of the state.¹¹ At present there are eighteen circuits in Illinois, and Franklin County is attached to the second circuit.¹²

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1. 2 U.S. Stat. 155.
 2. L. 1854, p. 30. No more than five justices, however, may be elected from any town or election precinct.
 3. Const. 1870, Art. VI, sec. 20.
 4. L. 1877, p. 79, 80.
 5. L. 1881, p. 72. In 1933, the act of 1877 was further amended to make the establishment of an independent probate court mandatory in counties having a population of eighty-five thousand or more and optional in counties having a population of between seventy thousand and eighty-five thousand (L. 1933, p. 458).
 6. Const. 1870, Art. VI, sec. 18; L. 1877, p. 80; L. 1881, p. 72.
 7. R.S. 1874, p. 340; L. 1877, p. 77; L. 1895, p. 212, 223.
 8. The jurisdiction of justices has also been progressively increased during this period. See L. 1871-72, p. 524; L. 1895, p. 189, 190; L. 1917, p. 562, 563; L. 1929, p. 541, 542.
 9. L. 1871-72, p. 325.
 10. 34 U.S. Stat. 596.
 11. Const. 1870, Art. VI, sec. 13.
 12. L. 1933, p. 436.

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Clerks of Courts

The clerk of the circuit court prior to the creation of the State of Illinois was appointed by the territorial Governor.¹ Under the Constitution of 1818 the clerk was appointed by a majority of the justices of that court.² Since 1849, however, by provisions of the constitutions of 1848 and 1870, the office has been filled by election.³ The office of clerk of the county court, which was an independent elective office under the second constitution,⁴ is now filled in an ex officio capacity by the county clerk⁵ who is also required by constitutional provision to be elected.⁶ The county commissioners' court, which for a brief period held jurisdiction over probate matters, had its own clerk who was at that time appointed by the court.⁷ Probate judges and justices of the peace who subsequently held probate jurisdiction, were required to act as their own clerks.⁸ With the transfer of probate jurisdiction to the county court, the clerk of the county court was required to keep, separately, records of probate proceedings and business.⁹ In Franklin County where the county court retains probate jurisdiction, the county clerk serves it in these matters in his capacity as ex officio clerk of the county court.¹⁰ Justices of the peace have always been required to keep their records in person.¹¹

Ministerial Officers

The principal ministerial officer of all courts of record in Illinois counties is the sheriff. Prior to 1819 the sheriff was appointed by the territorial Governor;¹² however, the first constitution provided that the sheriff should be elected.¹³ Later, in 1827, statutory provision was made for the appointment of deputies by the principal officer;¹⁴ since 1870, the number of deputies that the sheriff may appoint is determined by rule of the circuit court.¹⁵ The ministerial duties of the sheriff have undergone little change in more than one hundred years. Essentially he is to attend, in per-

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1. Laws of the Illinois Territory, 1817-18, p. 94.
 2. Art. IV, sec. 6.
 3. Const. 1848, Art. V, sec. 21,29; Const. 1870, Art. X, sec. 8.
 4. Const. 1848, Art. V, sec. 19.
 5. R.S. 1874, p. 260.
 6. Const. 1870, Art. X, sec. 8.
 7. L. 1819, p. 175.
 8. L. 1821, p. 119,120; L. 1637, p. 177,178.
 9. L. 1849, p. 66.
 10. R.S. 1874, p. 260.
 11. L. 1819, p. 185-97 (na specified record-keeping requirement listed among general duties of justices), 326 (establishing fees to be paid justices for keeping records); R.L. 1827, p. 260 (becomes definite provision for justices to keep own records); L. 1895, p. 221,222.
 12. John Reynolds, Pioneer History of Illinois, p. 365.
 13. Const. 1818, Art. III, sec. 11.
 14. R.L. 1827, p. 373.
 15. Const. 1870, Art. X, sec. 9.

son or by deputy, all courts of record in the county, obeying the orders and directions of the court, and to serve, execute, and return all writs, warrants, process, orders, and decrees legally directed to him.¹

The coroner was originally given power equal with the sheriff as a ministerial officer of the courts.² He was also required to serve all process in any suit in which the sheriff was an interested party³ and to perform all the duties of the sheriff when that office was vacant.⁴ The last two functions are still incumbent upon the coroner.⁵

Justices of the peace are served similarly in a ministerial capacity by constables. Not until 1870 was the office of constable given constitutional recognition;⁶ at its creation by the first General Assembly, the county commissioners' court was empowered to appoint one or more constables in each township;⁷ in 1827 it was provided that two constables should be elected in each justice-of-the-peace district.⁸ Since that date, subsequent legislation has grouped justices of the peace and constables in all provisions regarding their election.⁹ Constables, like sheriffs and coroners, have always been required to serve and execute all process legally directed to them;¹⁰ process issuing from a justice-of-the-peace court, however, may be directed only to some constable of the same county.¹¹

Prosecutions

The duty of the present state's attorney to prosecute and defend all actions, civil or criminal, involving the county, the people, or officers of the state or county,¹² was incumbent originally upon the circuit attor-

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1. L. 1819, p. 111; R.S. 1874, p. 990,991.
 2. John Reynolds, Pioneer History of Illinois, p. 385; L. 1819, p. 111.
 3. L. 1821, p. 20-33.
 4. R.L. 1827, p. 372,373.
 5. R.S. 1874, p. 282. Despite the absence from the present law of statutory provision for the coroner to serve process originally directed to him (R.S. 1874, p. 281,282), the courts have held that he may so do, an emergency being presumed to exist without need for the process to recite reason for its issuance to the coroner (20 Ill. 185; 57 Ill. 268).
 6. Const. 1870, Art. VI, sec. 21.
 7. L. 1819, p. 162.
 8. R.L. 1827, p. 258.
 9. See Courts, p. 53.
 10. L. 1819, p. 162,163; R.S. 1874, p. 400.
 11. L. 1819, p. 186; R.S. 1845, p. 317; L. 1871-72, p. 525; L. 1895, p. 191, 193; L. 1937, p. 900. Similarly, process issuing from courts of record is required to be directed to the sheriff or, under certain conditions noted (footnotes 2,3, and 4), to the coroner (R.S. 1845, p. 413; L. 1871-72, p. 338; L. 1907, p. 444,445; L. 1933, p. 786; L. 1937, p. 989).
 12. R.S. 1874, p. 173,174.

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ney.¹ In 1827 this officer was replaced by the state's attorney.² Also in effect from an early date is the officer's other major duty, apart from the enforcement of law,³ of giving opinions on any questions of law relating to criminal or other matters in which the people of the county may be concerned.⁴

The offices of circuit attorney and early state's attorney, which existed solely by statutory provision,⁵ were appointive by the Governor until 1835,⁶ and thereafter by the General Assembly.⁷ The second constitution provided for an elected state's attorney;⁸ since each judicial circuit was an elective district for this purpose, the territorial jurisdiction of the new officer remained the same as that of the former officer.⁹ Not until the adoption of the present constitution was provision made for the election of a separate state's attorney in each county.¹⁰

Inquests

The holding of inquests, one of the duties of the coroner in Illinois counties, is also a part of the administration of justice. The office of coroner was created by the first constitution and required to be filled by election;¹¹ the statutory provisions concerning the inquest function have not changed substantially since their enactment by the second General Assembly.¹² The coroner, when informed of the body of any person being found dead, supposedly by violence, casualty, or undue means, is required to summon a jury to inquire how, in what manner, and by whom or what, death was caused; testimony of witnesses is taken; witnesses whose evidence implicates any person as the unlawful slayer of the deceased are bound over to the circuit court; the verdict of the jury is returned to the clerk of that court.¹³

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1. Laws of Illinois Territory, 1817-18, p. 54; L. 1819, p. 204; L. 1825, p. 178,179.
 2. R.L. 1827, p. 79,80.
 3. See Enforcement of Law, p. 60.
 4. R.S. 1845, p. 76; R.S. 1874, p. 174.
 5. Laws of Illinois Territory, 1817-18, p. 54; L. 1819, p. 204-6.
 6. Ibid., p. 204.
 7. L. 1835, p. 44.
 8. Const. 1848, Art. V, sec. 21. The new title, however, had already come into occasional use in the interim (R.L. 1827, p. 79,80; L. 1835, p. 18,19).
 9. Const. 1848, Art. V, sec. 28.
 10. Const. 1870, Art. VI, sec. 22.
 11. Const. 1818, Art. III, sec. 11.
 12. Cf. L. 1821, p. 22-24; R.S. 1845, p. 517,518; R.S. 1874, p. 282-84; Ill. Rev. Stat. 1939, p. 820-22.
 13. L. 1821, p. 24,25; R.S. 1845, p. 518; R.S. 1874, p. 284; L. 1879, p. 82; L. 1907, p. 213; L. 1919, p. 403,404; L. 1931, p. 388,389.

The verdict of the coroner's jury, however, is not generally admissible in evidence;¹ additionally, it is not held to be prima facie proof of matters stated therein with regard to the cause and manner of death;² its essential nature, therefore, is that of a finding of facts upon the basis of which the coroner may be led to discharge his collateral duty to apprehend and commit to jail any person implicated by the inquest as the unlawful slayer of the deceased.³ To this extent, the coroner's inquest duties overlap his function as an officer for the enforcement of law.

Enforcement of Law

Sheriffs, coroners, and constables have always been charged equally with keeping the peace and apprehending all offenders against the law.⁴ The state's attorney's powers as an officer for the enforcement of law originally arise by implication from another duty;⁵ the gathering of evidence and the apprehension of offenders is necessarily involved in commencing and prosecuting actions in which the people of the state or county are concerned.⁶ In relatively recent years, however, the state's attorney has been given more specific statutory powers to enforce laws and to investigate violations and secure necessary evidence thereof.⁷ But at any time the effective spheres of authority of law enforcement officers have been determined less by statutory provisions than by local conditions and individual circumstances.

Elections

Elections in Illinois after it became a state were under control of the county commissioners' court.⁸ It appointed three judges of election for each precinct, which at first consisted of an entire township.⁹

When the Constitution of 1848 was adopted, the control of election officials remained in the county commissioners' court until the entire

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1. 46 N.W. 872. It is, however, held to be proper practice to offer, in cross-examining witnesses sought to be impeached, excerpts from transcripts of testimony taken at the inquest (189 Ill. App. 556; 211 Ill. App. 474).
 2. 201 Ill. App. 287.
 3. L. 1821, p. 25; R.S. 1845, p. 518; R.S. 1874, p. 283,284.
 4. John Reynolds, Pioneer History of Illinois p. 365; L. 1819, p. 111,162, 163; R.S. 1845, p. 515; R.S. 1874, p. 400.
 5. See Prosecutions, p. 58.
 6. L. 1819, p. 204; R.S. 1845, p. 76.
 7. L. 1885, p. 3; L. 1907, p. 288; L. 1913, p. 395; L. 1915, p. 368; L. 1927, p. 33.
 8. L. 1819, p. 90; R.L. 1829, p. 55.
 9. L. 1819, p. 90,91.

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jurisdiction of that court was vested in the new administrative county court.¹ Little change was made during this constitutional period; the judges of election continued to be appointed by the county court or board doing county business, and the clerks to be appointed by the judges. Even the event of registration² and the new Constitution of 1870 brought but slight alteration in the main election procedure; county boards, whether made up of town supervisors or county commissioners, still appointed the judges of election. However, in counties under township organization, these judges now had to be the town supervisor, assessor, and collector in the election district in which they resided.³ The judges continued to appoint the clerks.⁴ The election board also became the board of registry.⁵ Three judges of election and two clerks had been the rule, but in 1885 the number of clerks was increased to three.⁶ By an amendment to the 1872 act in regard to elections,⁷ only the town supervisor in counties so organized was required to be one of the judges of election in the district or precinct in which he resided.⁸ The county board continued to appoint judges of election if they were not elected or appointed by election commissioners.⁹

When a city, village or incorporated town adopted the city election law,¹⁰ a marked change in procedure took place. This change called for the appointment by the county court of the county in which the city, village or incorporated town was located, of a board of election commissioners, composed of three members.¹¹ Names of proposed precinct election board members, both judges and clerks, were to be submitted by the board of election commissioners to the county court for appointment and approval,¹² and upon approval they, like the commissioners, became officers of that court and liable in a proceeding for contempt for any misbehavior in their office.¹³

In 1819, voting was by ballot, either printed (but not at public expense) or written.¹⁴ Then in 1821, oral voting was introduced¹⁵ only to be soon replaced by a combination of the two methods in which the elector prepared his ballot, handed it to a judge of election and the judge read aloud the names

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1. L. 1849, p. 65.
 2. L. 1865, p. 54.
 3. L. 1871-72, p. 385.
 4. Ibid.
 5. L. 1873-74, p. 96.
 6. L. 1885, p. 195.
 7. L. 1872, p. 380.
 8. L. 1903, p. 173.
 9. L. 1905, p. 202; L. 1935-36, Fourth Sp. Sess., p. 28.
 10. L. 1885, p. 142.
 11. Ibid., p. 147; L. 1899, p. 163.
 12. L. 1885, p. 150, 151; L. 1899, p. 167.
 13. L. 1885, p. 151; L. 1899, p. 107.
 14. L. 1819, p. 93.
 15. L. 1821, p. 73.

of the persons voted for and the clerks recorded the vote.¹ Constitutional recognition of voting by ballot was given in 1848.² The Constitution of 1870 provided for cumulative voting so as to enable minorities to have representation in the General Assembly.³ The next great change was the introduction of the secret or Australian ballot, still in use today, and the printing and distribution of all ballots at public expense.⁴ Voting machines were authorized in 1903.⁵ Challengers and watchers for the various candidates, were first permitted in 1927.⁶

Registry of voters to prevent fraudulent voting was first required in 1865⁷ and absentee voting was also allowed to enable those in military service of the United States to vote by giving a power of attorney to a resident elector to cast the vote for the absentee.⁸ During the World War this was changed so that ballots were sent to the army officers, and soldiers, having chosen their election board, voted wherever they happened to be, but not less than five or more than twenty days prior to the general election day.⁹ Absentee registration, however, did not come until 1927.¹⁰ Permanent registration came nine years later,¹¹ and was intended to make the elector's registration permanent until his death or change of residence or change of name.¹² Registration is under the control of the county board, county clerk, and county court¹³ except in cities, villages, and incorporated towns which have adopted the election act.¹⁴ In these cities, villages, and incorporated towns, registration is under the direction of a board of election commissioners as well as the county court.¹⁵

Women were first allowed to vote in elections for school officials;¹⁶ twenty-two years later, in 1915, their voting power was enlarged to include elections for: presidential electors, members of the State Board of Equalization, clerk of the appellate court, county collector, county surveyor, members of the board of assessors, members of the board of review, sanitary district trustees, and all officers of cities and towns (except police magistrates) and

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1. R.L. 1829, p. 57; R.S. 1845, p. 217.
 2. Const. 1848, Art. VI, sec. 2.
 3. Art. IV, sec. 7,8.
 4. L. 1891, p. 108.
 5. L. 1903, p. 178.
 6. L. 1927, p. 443.
 7. L. 1865, p. 54.
 8. Ibid., p. 60.
 9. L. 1917, p. 441.
 10. L. 1927, p. 443.
 11. L. 1936, Fourth Sp. Sess., p. 50-53.
 12. Ibid.
 13. L. 1865, p. 54,59; L. 1871-72, p. 385,390,391.
 14. L. 1885, p. 147; L. 1936, Fourth Sp. Sess., p. 50-53.
 15. Ibid.
 16. L. 1891, p. 135.

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on all questions and propositions submitted to a vote of the electors of such municipalities or other political divisions of this state. This franchise also extended to the following township officers: supervisor, town clerk, assessor, collector, and highway commissioners, and an active participation in all town meetings.¹ They had to meet the same requirements as men as to age, residence, and registration.² General suffrage was granted to women in 1921³ in accordance with the Nineteenth Amendment to the Federal Constitution, which became effective on August 26, 1920.

Education

The act of Congress providing for the creation and admission of the State of Illinois to the Union set aside section sixteen of every township for the use of schools.⁴ The first state legislation on the subject was concerned only with the establishment of school districts and the sale or leasing of school land to provide necessary funds, for which purposes three trustees of school lands were appointed in each township by the county commissioners' court.⁵

In 1825, however, with a common school system in operation, provision was made for its educational as well as financial administration. Three elected officers, known as township school trustees, were charged in each township with superintending schools, examining and employing teachers, leasing all land belonging to the district, and reporting annually to the county commissioners' court; this report, however, was limited to such matters as were concerned in the financial administration of the schools.⁶ In 1827 the county commissioners' court was again empowered to appoint trustees of school lands, but despite the use of the earlier, more limited title, these officers were charged with all the duties of the former township school trustees.⁷ The creation of the office of county school commissioner in 1829 brought a new element into the complex situation. The commissioner was at first given limited duties with regard to the sale of school lands and the management of school funds;⁸ his subsequent gains in this respect at the expense of the township trustees foreshadowed the demarcation of spheres of authority that was made in 1847.⁹ In the interim, the school commissioner, who had first been appointed by the county commissioners'

1. L. 1913, p. 33.

2. Ibid.

3. L. 1921, p. 430.

4. 3 U.S. Stat. 428.

5. L. 1819, p. 107,108.

6. L. 1825, p. 121,122.

7. R.L. 1827, p. 366-70.

8. R.L. 1829, p. 150-54.

9. Cf. L. 1831, p. 176; L. 1841, p. 275-79.

court,¹ became an elected officer;² in such townships as elected to incorporate for the purpose of organizing and supporting schools, township trustees also became elected officers and were there denominated trustees of schools.³

The situation created by the legislation of 1847 in certain respects has not since been substantially altered. In all counties, township trustees became, and are still, elected officers, styled township school trustees.⁴ The relative authority of the county school commissioner⁵ and of officers of the township with regard to financial administration was fixed essentially as at present.⁶ However, township trustees lost practically all their former duties with regard to matters purely educational as a result of a development that occurred in 1845.

It was at that time that the county first entered into the actual administration of education with the creation of the office of superintendent of schools.⁷ Filled at first by the school commissioner in an ex officio capacity,⁸ it quickly absorbed most of the functions of township trustees with regard to the advancement of education;⁹ later, the office came to be filled by election¹⁰ and completely absorbed that of school commissioner.¹¹ In the new field of county administration of education, the superintendent's duties remained constant through his change in legal status, requiring him to visit all the townships in his county and inquire into the condition and manner of conducting their schools, to examine persons proposing to teach school, to grant certificates to persons qualified to teach in schools, and to report to the county board on all his acts relating to the manage-

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1. R.L. 1829, p. 150.
 2. L. 1841, p. 261,262.
 3. Ibid., p. 273,274. In unincorporated townships, trustees continued to be appointed by the county commissioners' court (ibid., p. 259,260).
 4. L. 1847, p. 126; L. 1909, p. 350.
 5. The subsequent substitution of an independent elected superintendent of schools for the school commissioner who had additionally been ex officio superintendent (see footnotes 8,10, and 11), was only a change in the legal status of the officer of the county and had no further import.
 6. L. 1847, p. 123,124,128,129; L. 1909, p. 351-54; L. 1927, p. 794,795.
 7. R.S. 1845, p. 498.
 8. Ibid.
 9. Ibid., p. 487-503. Cf. L. 1825, p. 121,122; R.L. 1827, p. 366-70; L. 1831, p. 173; L. 1841, p. 270,275,276,279. The only duty of this category that was left to township trustees in the laws of 1847 concerned the examination of prospective teachers and the issuance of certificates where merited (L. 1847, p. 130).
 10. L. 1865, p. 112.
 11. Ibid., p. 112,113.

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ment of school funds and lands.¹ Subsequent legislation has enlarged the scope of this phase of the superintendant's functions, but it is in his role as an agent of state supervision that he has been charged with numerous duties of a new character.²

The authority of the state with regard to education, first manifested in 1845, has, like that of the county, been extended beyond its original bounds. Originally the county superintendent was required only to communicate to the State Superintendent of Common Schools³ information concerning the schools in his county.⁴ Today, as a consequence of the state's increasing intervention in matters of public health and safety, the county superintendent is required to inspect, with regard to specifications, plans submitted to him for the heating, ventilation, lighting, et cetera, of public school rooms and buildings; to visit and notice such public school buildings which appear to him to be unsafe, insanitary, or otherwise unfit for occupancy; and to request the State Department of Public Health,⁵ the state fire marshal, or the state architect to inspect such buildings and issue reports upon which condemnation proceedings can be based.⁶

Recordation

From 1818 to 1819 the recorder in Franklin County was an appointee of the territorial Governor.⁷ After Illinois was admitted to statehood, for the function of making legal record of written instruments, the first General Assembly established the office of recorder.⁸ Originally appointed by the Governor,⁹ the recorder was required to be elected after 1835.¹⁰ The second constitution made the clerk of the circuit court¹¹ ex officio recorder in all counties;¹² the present constitution continued the earlier provision in

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1. R.S. 1845, p. 498-501. Cf. L. 1847, p. 121-25; L. 1857, p. 261-65, 278, 279, 296, 297; L. 1861, p. 190, 191; L. 1865, p. 114, 119-21.
 2. L. 1909, p. 347-50; L. 1915, p. 636-38.
 3. The Secretary of State in ex officio capacity (L. 1845, p. 52). In 1854 the office became independent, filled by election, and known as that of Superintendent of Public Instruction (L. 1854, p. 13), which is its present status (L. 1909, p. 343).
 4. L. 1845, p. 54.
 5. Prior to 1917, the rights, powers, and duties of this department were vested in the State Board of Health, abolished in that year (L. 1917, p. 4, 17, 27, 28).
 6. L. 1915, p. 637-40.
 7. Nathaniel Pope, ed., Laws of the Territory of Illinois, I. 33.
 8. L. 1819, p. 18-20.
 9. Ibid., p. 19.
 10. L. 1835, p. 166.
 11. An elected officer; see Clerks of Courts, p. 57.
 12. Const. 1848, Art. V, sec. 19; L. 1849, p. 64.

counties of under sixty thousand population and provided for the election of a recorder in counties of that population or more.¹ As Franklin County never met the population requirement the clerk of the circuit court has continued to fulfill the duties of recorder.

The basic duty of the recorder, to record at length and in the order of their receipt all instruments in writing, has remained essentially unchanged; legislation has been directed toward the extension of categories of instruments entitled to be recorded.² Conveyances of title to land, a major category of such records, frequently involve another county officer, the surveyor. Established by the second General Assembly, the office of surveyor was at first filled by appointment by that body,³ later by election.⁴ In 1936 the surveyor again became an appointed officer, with the power of appointment delegated to the county board.⁵ His duty to perform all surveys he may be called on to make within his county has undergone only minor change, but its importance has declined; the acts of any surveyor, properly acknowledged and certified, have equal standing before the law with those of the county surveyor; no maps or plats have any legal effect unless recorded by the recorder.⁶

Public Works

Roads and Bridges

Public roads and bridges were first under the superintendence of the county commissioners' court which was authorized to locate new roads and alter or vacate existing roads.⁷ The act providing for such superintendence empowered the commissioners to appoint freeholders in each township to act as supervisors, each appointment to be for a one-year period. New roads were to be opened by the county commissioners' court upon petition of residents of the county and favorable report from the road viewers and surveyor. A few years later the county commissioners were authorized to divide the county into road districts and to appoint annually one supervisor to serve in each district.⁸ With a change in the county administrative body under the second constitution, the county

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1. Const. 1870, Art. X, sec. 8; R.S. 1874, p. 833.
 2. L. 1819, p. 18-20; R.L. 1829, p. 117, 118; R.L. 1833, p. 511; R.S. 1845, p. 305, 431, 432, 606; L. 1851, p. 80; L. 1859, p. 124; L. 1869, p. 2; R.S. 1874, p. 833, 834; L. 1921, p. 756, 757; L. 1925, p. 520-22.
 3. L. 1821, p. 62.
 4. L. 1835, p. 166.
 5. L. 1933, p. 1104. Provision effective in 1936.
 6. R.L. 1829, p. 173; R.L. 1833, p. 511; L. 1845, p. 201; L. 1869, p. 241, 242; R.S. 1874, p. 1050, 1051; L. 1901, p. 307, 308; L. 1915, p. 575.
 7. L. 1819, p. 33.
 8. L. 1825, p. 130.

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court was granted supervision and control over public roads,¹ but the care and superintendence of roads and bridges in counties electing the township form of government were granted to the commissioners of highways, elected annually in each town.² The commissioners divided the town into road districts, and overseers of highways in each district were to repair the roads and carry out orders of the commissioners. In counties not electing township organization, the original system of road districts and road supervisors was continued.³ From 1849 to 1872 the county court exercised supervision, control, and maintenance of roads, highways, and bridges in Franklin County.⁴ Between 1875 and 1876 and 1880 and 1885, when Franklin County was under the county commission form of government, the supervision of highways, roads and bridges was vested in the board of county commissioners.⁵ In 1913 the State Highway Department was established, and provision was made for the appointment by the county board of a county superintendent of highways.⁶ The entire system was centralized by subjecting the county superintendent to the rules and regulations of the state highway commissioner and by requiring candidates for county superintendent to be approved by the state commissioner before appointment by the county board. The term of office of the county superintendent was set as six years and his salary was to be fixed by the county board. A board of highway commissioners was set up in each township to superintend matters relating to roads and bridges. Although the county superintendent was to act on behalf of the county in regard to roads and bridges, and although he was subject to removal by the county board, he was regarded as a deputy of the state highway engineer, subject to his directions. This indicates the intention of the legislature to unify the entire state system of roads and bridges. In 1917 the Department of Public Works and Buildings assumed the rights, powers, and duties vested in the State Highway Department, but the county organization has remained essentially the same since 1913.

Public Buildings

The county is given the power to hold, own, and convey real estate for county purposes.⁸ This power is exercised by the county board which is charged with the care and custody of all the real and personal property owned by the county. Throughout the period of statehood it has been pro-

1. 1849, p. 65; L. 1851, p. 179.

2. L. 1849, p. 212.

3. L. 1847, p. 111-13; L. 1849, p. 65, 212, 213; L. 1851, p. 64, 179.

4. L. 1847, p. 111-13; L. 1849, p. 65. Franklin County first instituted township organization in 1872, after several changes in form of government, it has since 1885 retained township organization.

5. L. 1873-74, p. 79.

6. L. 1913, p. 521-25, 537-46.

7. Ibid., p. 524, 525, 538, 542-44; L. 1917, p. 24; L. 1921, p. 780-86; L. 1933, p. 961.

8. R.S. 1874, p. 306.

vided that a courthouse and jail be erected in each county,¹ and that the sheriff of each county be charged with custody of such building.² The county is further empowered to erect buildings for a county hospital, workhouse, tuberculosis sanitarium, and other county needs.³

The county superintendent of schools is charged with the inspection of plans and specifications for public school rooms and buildings; and the approval of only those which comply with the specifications prepared by the State Superintendent of Public Instruction.⁴ He is also to request the Department of Public Health,⁵ the state fire marshal, or the state architect to inspect public school buildings which appear to be unsafe, insanitary, or unfit for occupancy. Upon receipt of an unfavorable report from these officials, the county superintendent is to condemn the building and notify the board of directors or board of education, and the board of school trustees.

Drainage

In 1850 an act of Congress provided for the granting of swamp and overflowed lands to various states.⁶ The land so granted to Illinois was turned over to the counties in 1852 to be reclaimed by drainage and used for county purposes.⁷ Such lands were to be under the care and superintendence of the county court which was to appoint a "Drainage Commissioner" to conduct the sales of such lands. The county surveyor was to prepare plats of the swamp lands and return such plats to the clerk of the county court, whereupon the court fixed the valuation upon each tract. The purchasers of these tracts were given a certificate by the drainage commissioner, and a deed was later executed by the county court. The court was to sell only enough swamp lands to insure reclamation of all such land, any balance to be granted to the several townships to be used for educational purposes. At the discretion of the county, such balance could also be used for the construction of roads or bridges, or for other public works.

In 1865 the commissioners of highways in each town became ex officio boards of drainage commissioners.⁸ Where a proposed drain ran through more than one town the commissioners of all the towns affected made up

1. L. 1819, p. 237,238; R.S. 1845, p. 135; R.S. 1874, p. 307,308.

2. R.L. 1827, p. 246,247,372; L. 1874, p. 990.

3. R.S. 1874, p. 307; L. 1909, p. 163; L. 1911, p. 246.

4. L. 1915, p. 637-40.

5. Created in 1917 to supplant the State Board of Health abolished in that year (L. 1917, p. 4,17,27).

6. 9 U.S.Stat. 519.

7. L. 1852, p. 178.

8. L. 1865, p. 50.

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the board of drainage commissioners.¹ In 1879, drainage construction by special assessment was handled by the drainage commissioners, a body corporate and politic composed of commissioners of highways.²

Provision was first made for the organization of drainage districts for agricultural, sanitary, and mining purposes in 1879. Petitions were to be filed with the county clerk and hearings on the same were to be had before the county court. When the court found in favor of the petitioners, it appointed three disinterested persons as commissioners to lay out and construct the work. Petitions for the construction of drains to cost less than \$5,000 were to be presented to justices of the peace, if the petitioners so elected, and the commissioners of highways were to perform the duties of drainage commissioners in such cases.³ In 1885 this law was amended to include drains costing less than \$2,000 and provided for the appointment of three residents as commissioners.⁴

Public Services

Public Health

The State Department of Public Health, created in 1917,⁵ is charged with general supervision of the health and lives of the people of the state. In conformance with this legislative order it is empowered to supervise, aid, direct, and assist local health authorities or agencies in the administration of the health laws. Public health districts may be organized along subcounty lines with a board of health in each. The names of such districts are to be filed with the county clerk to complete their organization. Annually, each board of health certifies to the county clerk the rate of public health tax to be levied in each district, the clerk being responsible for setting out the proper taxes upon the warrant books and transmitting them to the collector as provided for in regard to other taxes.⁶

Control of the state health department over lodging houses, boarding houses, taverns, inns, and hotels is effected through the county clerk, the proprietors of such establishments being required to file with the clerk an annual statement containing details as to sleeping accommodations for guests.⁷ The clerk is also required to report annually to the state health department the names and addresses of township officials.⁸

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1. L. 1867, p. 91,92.
 2. L. 1879, p. 142.
 3. Ibid., p. 120.
 4. L. 1885, p. 130,131.
 5. L. 1917, p. 4.
 6. Ibid., p. 27,28,763,765,767,768.
 7. L. 1901, p. 305.
 8. L. 1923, p. 480.

Mosquito abatement districts are organized upon petition to the county judge of the county in which such territory lies, such petitions being filed with the county clerk. If, after hearing, the county judge determines that the organization of a district is necessary, the question is submitted to the residents of the territory at a special election. The judges of election make return to the county judge, and the results are entered upon the records of the county court. A majority of the votes favoring it, a mosquito abatement district is thereupon organized.¹

County officials also entered into the state's control of public swimming pools. When a representative of the State Department of Public Health finds conditions that warrant the closing of such a pool, the owner of the pool and the sheriff and state's attorney of the county are notified to that effect, it being the duty of these officers to enforce such notices.²

Vital Statistics

The State Department of Public Health has charge of the registration of births, stillbirths, and deaths throughout the state.³ To effect proper control of this matter the state is divided into vital statistics registration districts which, in Franklin County, are identical with the townships. The township clerk acts as the local registrar in these districts and receives certificates of births and deaths occurring in the district. Burial permits are issued by the registrar and are later returned to him for filing.

The local registrar is required to deposit monthly with the county clerk, a complete set of records of births, stillbirths, and deaths registered during the month, and the clerk is charged with binding and indexing, or recording, and safekeeping of such records. The original certificates are sent monthly by the local registrars to the state health department which certifies annually to the county clerk the number of births, stillbirths, and deaths registered in the county.

The county board is to appropriate money for the payment of the local registrar's fees. Such amounts are charges against the county, and the county clerk is required to issue warrants on the county treasurer for the amount of the fees payable to the registrars.

The county also enters into the enforcement phase of this matter. The state health department reports cases of violations of any provisions of the act relating to registration to the state's attorney who is to initiate and follow up court proceedings against violators.

Since 1937 the county clerk has been required to keep a record of applications for marriage licenses, together with certificates showing

1. L. 1927, p. 694.
2. L. 1931, p. 735, 736.
3. L. 1915, p. 660-70.

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that persons desiring to marry are free from venereal diseases.¹ When a marriage has been performed the certificate of marriage together with license is returned to the county clerk, who is required to keep a registry of marriages, showing the date, names of the parties, and name and title of the official performing the ceremony.²

Public Assistance

Public assistance is administered through the services of the county department of public welfare, the county home, the examiner of the blind, the probation officers, the county clerk, and the county board.

The county department of public welfare is headed by a superintendent appointed by the county board after approval by the State Department of Public Welfare.³ He assists the state department in the operation of welfare plans and policies within the county and has charge of the administration of old age assistance.⁴ In this latter regard the county department acts merely as the agent of the state department, investigating applicants and reporting results.

The county home is an establishment for the maintenance and care of indigents. Its management and finances are provided by the county board.⁵ Blind assistance is administered in the county through appropriations by the county board together with state funds. An examiner of the blind, appointed by the county board, examines all applicants referred to him by the county clerk.⁶ The county court has jurisdiction in the administration of the mothers' pension fund. A probation officer, an appointee of the court for this purpose, investigates and visits cases of indigent mothers who are entitled to benefit.⁷

Coordination of Functions

From the foregoing discussion of functions of the county government it is apparent that the county plays a dual role, that of a body politic and that of an agent of the state. In its first capacity the county, through its officials, is capable of suing and being sued, purchasing, holding, and selling property, making contracts, and raising revenue for its proper operation. As a state agent it fits into a state-wide program

1. L. 1937, p. 908-11.

2. R.S. 1874, p. 696.

3. L. 1937, p. 451,452.

4. L. 1935-36, First Sp. Sess., p. 54-61,72; L. 1937, p. 265-70,452.

5. L. 1935, p. 1057.

6. L. 1903, p. 138; L. 1915, p. 256,257; L. 1935, p. 264,265.

7. L. 1913, p. 127-30; L. 1915, p. 243-45; L. 1921, p. 162-64; L. 1935, p. 256-59.

on various matters of public concern, acting under the supervision and control of the state and coordinating the activities of subcounty agencies and officials.

Coordination of county activities is effected chiefly through the county clerk. An illustration of this is the part this official plays in the election procedure where there is no board of election commissioners.¹ As ministerial officer of the county board he notifies the judges and clerks of elections of their appointment, supplies them with blanks and poll books, receives copies of registers of voters, issues notices of election, receives and preserves returns, canvasses votes with the assistance of two justices of the peace and retains the abstracts, transmits copies of election returns and abstracts of votes to the Secretary of State, and issues certificates of election. Where there is a board of election commissioners most of the clerical work is done by the board, however, the county clerk completes the procedure by sending copies of election returns to the Secretary of State and issuing certificates of election.

Records System

County records in the State of Illinois have suffered from the lack of an adequate program of legislation designed to secure uniformity in recordation and to insure the proper care of those documents which have permanent value. However, from the inception of statehood, some effort has been made to coordinate the records systems of the several counties and preserve their archives.

In attempting to establish state-wide uniformity among counties, the General Assembly has at times provided detailed descriptions of required records and in many instances has supplied the very forms to be used. Laws relating to the duties and powers of county officers usually contained some such provisions. Thus in 1819, the recorder of the county was ordered to supply "parchment or good large books, of royal or other large paper, well bound and covered" wherein to record all deeds and conveyances brought to him for the purpose. He was also to keep a fair book in which to enter every deed or writing to be recorded, noting the date, the parties, and the place where the lands were situated, such entries to be made according to priority of time.² In 1833 he was required to keep an alphabetical index to each book,³ and by 1874 the General Assembly had prescribed a complete list of books to be kept in the office of the recorder, with a description of the contents of each, which list has been continued, substantially unchanged, to the present.⁴

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1. See Elections, p. 60, for explanation of development and control of the election machinery.
 2. L. 1819, p. 18,20.
 3. R.L. 1833, p. 511.
 4. R.S. 1874, p. 834.

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In like manner, legislation was enacted prescribing records to be kept by the county clerk and his predecessors, acting in their several capacities,¹ the clerk of the circuit court,² the judge³ and justice of the probate court,⁴ the coroner,⁵ the county superintendent of schools,⁶ the county surveyor,⁷ and the county treasurer.⁸

Description of records and forms to be used are frequently found in legislation pertaining to the holding of elections,⁹ assessments and the collection of revenue,¹⁰ the organization and maintenance of common schools,¹¹ the registration of marriages,¹² and the recording of vital statistics.¹³

While there has been enacted much legislation prescribing the kind of records to be kept, only a few laws deal with the safeguarding and preservation of county archives. In 1819 the General Assembly directed the clerks of the circuit and county commissioners' courts to provide "a safe press or presses with locks and keys for the safe-keeping of the archives of their offices . . ."14 In 1843 the county commissioners' courts were authorized, and required whenever the finances of the county would justify the expenditure, to erect a fireproof recorder's office at the county seat, or if the commissioners were of the opinion that any unappropriated room in their courthouses could be made fireproof, to make

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1. L. 1849, p. 66,203; L. 1859, p. 92,94; L. 1865, p. 93; R.S. 1874, p. 261-65,332; L. 1933, p. 293-95.
 2. R.L. 1833, p. 152; R.S. 1845, p. 147; L. 1847, p. 70; L. 1849, p. 9; L. 1865, p. 93; R.S. 1874, p. 262,263; L. 1933, p. 293,294.
 3. R.L. 1829, p. 231.
 4. R.S. 1845, p. 427,428.
 5. R.L. 1833, p. 574; L. 1869, p. 104,105; R.S. 1874, p. 283.
 6. L. 1849, p. 155,156; L. 1865, p. 120; L. 1909, p. 346,348,349.
 7. R.L. 1829, p. 173; R.S. 1845, p. 524.
 8. Ibid., p. 138; R.S. 1874, p. 323,324.
 9. L. 1819, p. 92,94; R.L. 1827, p. 291,292; R.L. 1829, p. 59,60; L. 1845, p. 41,42; L. 1849, p. 73,74; L. 1865, p. 54,55; L. 1871-72, p. 386-89, 391; L. 1885, p. 143,148,173,176; L. 1937, p. 522-29, 531-48.
 10. R.L. 1827, p. 329-33; L. 1838-39, p. 4,5,7,8,12,13,17; L. 1845, p. 6-9,12,14,15; L. 1849, p. 37,38,124-126; L. 1851, p. 53,55,56; L. 1853, p. 17,24,50,55,77,78,111,112; L. 1871-72, p. 19,23,32, 48,49,54.
 11. L. 1825, p. 127; R.L. 1833, p. 563; L. 1841, p. 263,270-72; L. 1845, p. 53,54,65-68; L. 1847, p. 121-23, 142-44; R.S. 1874, p. 950,957, 958,964.
 12. L. 1819, p. 27; R.L. 1827, p. 288,289; R.S. 1874, p. 694,695.
 13. L. 1842-43, p. 210-12; L. 1877, p. 209; L. 1901, p. 201-4; L. 1903, p. 315-18; L. 1915, p. 666,667.
 14. L. 1819, p. 332.

it so and house the office and records of the recorder there. At the discretion of the county commissioners' court, the provisions of this act might be deemed to apply to the offices of the clerks of the circuit and county commissioners' courts.¹ Similar in content but slightly different in wording is a later enactment in which the county commissioners' courts were authorized to "erect, build, and provide permanent fireproof rooms, houses or vaults, for the purpose of placing therein and preserving from injury, damage, loss, or destruction by fire, the records and documents of their respective counties."² The preservation of county archives has been greatly aided by an act to provide for the copying of old, worn-out records,³ and by a law authorizing the transfer of county records having historic value to the Illinois State Historical Library, the Archives Division of the Illinois State Library, or to the State University at Urbana.⁴ Provision is made in this act for the substitution of accurate copies of these documents if such action be deemed necessary. In 1907 the act was amended to include among the institutions to which old records might be sent, any historical society incorporated and located within a particular county.⁵ Laws have also been enacted which provide for the restoration of certain classes of records destroyed by fire or other means.⁶ In 1935 the General Assembly appropriated money for the construction of a fireproof building at Springfield for the purpose of storing therein the archives and records of the state.⁷ The erection of this structure, the State Archives Building, has helped to make possible the inauguration of an intelligent, farsighted program for the preservation of papers and documents of historic value.

There are still serious omissions in legislation pertaining to recordation. For instance, Illinois has no law prescribing the kinds of inks to be used in keeping records. And, although laws have been enacted authorizing the provision of fireproof accommodations for county documents, they are permissive rather than mandatory in character.⁸ Legislation enabling the destruction of worthless archives apparently is nonexistent with the exception of laws relating to certain election papers.⁹ The enactment of legislation which would remedy these defects in the laws and continue the trend toward state-wide uniformity among counties would result in an intelligent, economical records system for the State of Illinois.

1. L. 1842-43, p. 210.

2. L. 1845, p. 46.

3. L. 1871-72, p. 648,649.

4. L. 1897, p. 205; L. 1939, p. 693.

5. L. 1907, p. 375.

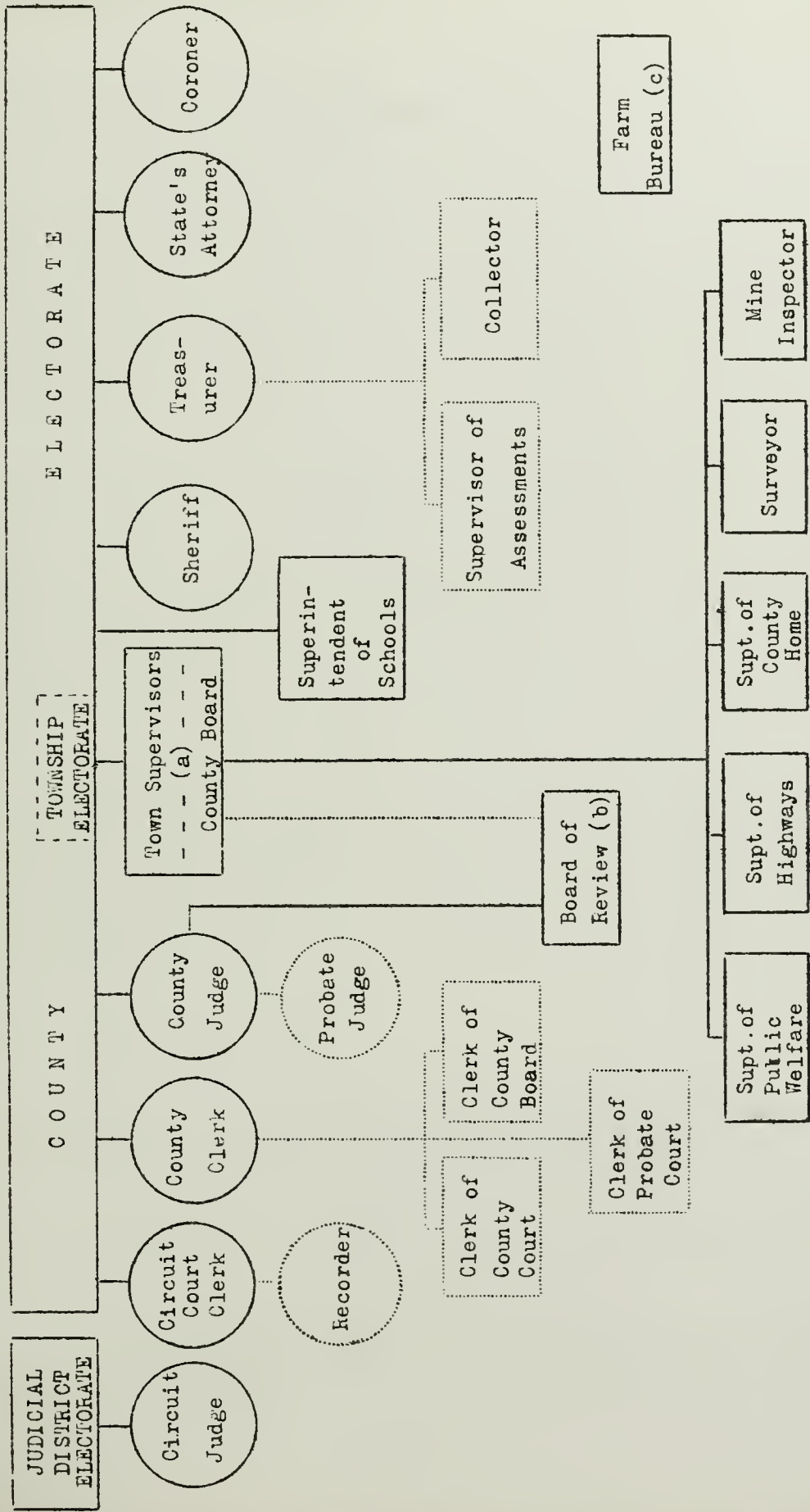
6. L. 1871-72, p. 649,650,652.

7. L. 1935, p. 138.

8. L. 1842-43, p. 210; L. 1845, p. 46.

9. L. 1861, p. 269; L. 1871-72, p. 389; L. 1885, p. 146,193; L. 1891, p. 118,119; L. 1917, p. 438,443.

GOVERNMENTAL ORGANIZATION OF FRANKLIN COUNTY, 1941



- (a) County Board composed of Town Supervisors, elected one in each township, plus Assistant Supervisors elected on basis of town population.
- (b) Composed of two appointees of County Judge and chairman of County Board acting as ex officio chairman of Board of Review.
- (c) See Farm Bureau, Chapter XX

L E G E N D

○ Constitutional Office or Body

□ Statutory Office or Body

..... Shows ex officio relationship

3. HOUSING, CARE, AND ACCESSIBILITY OF THE RECORDS

The present courthouse in Benton, the county seat of Franklin County, is the fourth in the county's history and was erected during 1874 and 1875. Beautifully proportioned, and in the French-Norman spirit, this two-story structure is built of brick with stone trim. It is 84 feet in its east and west dimension and 92 feet north and south. Four of Benton's principal streets - East, West, North, and South Main streets - terminate at the public square upon which the courthouse stands. The approach from South Main Street is to the main entrance; there is also another entrance from North Main Street.

Franklin County is one of the older counties in the state, having been established in 1818.¹ The county board met at first in Moses Garrett's tavern, on the Shawnee-Kaskaskia road near Frankfort, and this was also where records were kept² until the first courthouse was built at Frankfort in 1826.³ Of this courthouse nothing is known except that it was log cabin. In 1839, Williamson County was partitioned from Franklin County; Benton was shortly thereafter selected as the new county seat of Franklin.⁴ A courthouse was built here in 1840-41, which was the first in Benton and the second in the county. The size and appearance of this building is unknown; all that can be ascertained from the records is the fact that on June 8, 1841, Augustus Adams was allowed \$255.33 1/3, "being the balance due him for building the courthouse in the town of Benton in full which is ordered to be paid out of money arising from the sale of the Benton town lots, the whole being \$539.50."⁵ A separate building for the use of the county and circuit clerks was accepted⁷ by the county on March 1, 1841,⁶ and the records moved into it from Frankfort. The arrangement whereby there was a separate office building and a separate courthouse, did not work out satisfactorily. Only a year later, March 8, 1842, the county commissioners' court decided to build a new brick courthouse⁸ and on April 4, ordered work on the building to begin at once.⁹ Joshua Bartlett,

1. Laws of Illinois Territory, 1817-18, p. 11.

2. History of Franklin County, p. 360.

3. Ibid. Franklin was selected as county seat sometime before 1826 and was surveyed by Samuel Harrison in 1826 (see Historical Sketch, ch. 1, p. 11).

4. See Historical Sketch, ch. 1, p. 12.

5. County Court Record, v. D (1838-46), p. 166, in Supervisors' Record, see entry 2.

6. Ibid., p. 149.

7. Abraham Rea was allowed \$5.00 for removing the county records from Frankfort to Benton on April 21, 1841 (ibid., p. 156).

8. County Court Record, v. D (1838-46), p. 209, in Supervisors' Record, see entry 2.

9. Ibid., p. 216.

Housing, Care, and Accessibility of the Records

being the lowest bidder, was awarded a contract to build the courthouse for the sum of \$1,999, April 26, 1842, and was "ordered to execute a bond with approved securities."¹ Bartlett, however, failed to furnish bond² and on the next day a contract for \$2,000³ was let to Joseph Tucker and John Pascal who filed their bond.⁴ Board records are not very clear in regard to this contract which must have been for brick work only as the contract for inside work was awarded much later and various amounts were paid for diverse kinds of work. Thus, S. M. Hubbard, the county clerk, in his report "of Fiscal Concern" to the county board includes these statements: "Paid to Cassaday on contract of courthouse \$393. . . . Paid to R. Chidester \$125 for laying foundation."⁵ Not until a year later, December 3, 1844, was the contract for interior work awarded to John C. Murphy for the sum of \$2,300.⁶ Murphy being unable to furnish proper bond, was forced, April 1, 1845, to relinquish his contract in favor of Jarvis Pierce, the latter undertaking to do the work for the same amount.⁷ The interior work was officially accepted as completed according to contract October 20, 1845,⁸ and Pierce on that day was paid \$600, the balance due on his contract.⁹ This courthouse, like so many in Illinois at this time, was a two-story brick building,¹⁰ topped with a cupola.¹¹ Its construction cost approximately \$5,000,¹² and though it served the county thirty years, not more than \$500 was expended on its repairs.¹³ Whatever happened to the old courthouse cannot be ascertained from available board records but even while the new courthouse was under construction, the clerks' office building was destroyed by fire, November 28, 1843, and with it most of the records kept there.¹⁴

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1. County Court Record, v. D (1838-46), p. 218, in Supervisors' Record, see entry 2.
 2. Ibid., p. 219.
 3. Ibid., p. 364.
 4. Ibid., p. 219.
 5. Ibid., p. 309.
 6. Ibid., p. 408.
 7. Ibid., p. 410.
 8. Ibid., p. 454.
 9. Ibid., p. 455.
 10. County Court Orders, v. C (1850-53), p. 175, in Supervisors' Record, see entry 2.
 11. Ibid., p. 197.
 12. County Court Record, v. D (1838-46), p. 309, 364, 374, 310, 431; (County Court Record), v. not lettered (1846-50), p. 38, in Supervisors' Record, see entry 2.
 13. County Court Record, v. D (1854-62), p. 102, 109, 114, 122, 265, 292, 352, in Supervisors' Record, see entry 2.
 14. History of Franklin County, p. 366. According to the act to restore the records of Franklin County (L, 1845, p. 213), the records consumed by fire pertained to the office of the clerk of the circuit court, county commissioners' court, county recorder, and probate justice of the peace.

In the thirty years of its use, the courthouse served its purpose remarkably well, but in 1872 the building was beyond repair. On June 5 of that year the county clerk, Calvin M. Clark, was instructed "to prepare and have published in the Benton Standard and one paper in Du Quoin, Illinois, a short notice that bids will be received to build a courthouse in Benton, Illinois, on the first Monday of September next,"¹ and a committee consisting of M. Fetts, C. F. Mulkey, and Isaac Ward was selected "to confer with a capitalist [sic] and see what prospects will be of getting money to build a courthouse."² Poor crops and bad times forced all further progress to be discontinued, and on July 9 all previous action was rescinded.³ But later, on September 11, a resolution was adopted to submit the question of the courthouse to the voters at the general election to be held in November 4. Whether this proposition ever was put before the county electorate, cannot be determined from board records. Again the following spring, on May 6, 1873, the board admitted the inadequacy and unsafety of its courthouse and that a new one ought to be built, but deferred all action on it due to the "bad crops . . . in the past and financial embarrassment of the citizens . . ."⁵ By September 10, however, progress was made in crystalizing opinion behind the movement to erect the courthouse and the presentation of a tangible plan for a final decision by the county electorate. On that day the board resolved to submit to the voters in the November election, the question of raising money for the courthouse, which was to cost not more than \$30,000.⁶ The dilapidated condition of the old courthouse probably hastened the decision; by the end of the year the courtroom had to be vacated,⁷ and on December 2, 1873, the board rented the United Baptist Church for \$50 a year, payable in quarterly installments.⁸

Now the board had to proceed in earnest, but not without opposition. Upon recommendation of the building committee which had examined a number of different plans and specifications, the board on January 6, 1874, adopted the plans and specifications submitted by Peter Hyate of Benton. A special building committee was appointed to advertise for bids and let the contract¹⁰ for construction work, this to be limited to \$20,000.¹¹ At the same time the committee was instructed to sell the old courthouse to the highest bidder and rent" at their best discretion, offices for the legal occupants of the court-

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1. Supervisors' Record, v. A, p. 11,12, see entry 2.
 2. Ibid., p. 13.
 3. Ibid., p. 16.
 4. Ibid., p. 21.
 5. Ibid., p. 50.
 6. Ibid., p. 76.
 7. Ibid., p. 82,83.
 8. Ibid., p. 88,89.
 9. Ibid., p. 101,102.
 10. Ibid.
 11. Ibid., p. 82,83.

Housing, Care, and Accessibility of the Records

house and places of safety for the public records and any other arrangements necessary to carry forward said building.¹ Appointed to superintend the construction work was a special committee with Peter Phillips and Armstrong Barker serving.² In due time a contract was signed with John J. St. Clair of Benton, the cost complete with the furniture to be \$23,750.³ The old courthouse was sold for the sum of \$125, the note for which was to be due in seven months and made payable to John J. St. Clair, the courthouse contractor.⁴ The judge's stand was sold "for \$30 in cash."⁵ The entire cost of the courthouse was met by bonds, issued as the work progressed, which were to be paid "absolutely" within twenty years, but redeemable after two years at the option of the board and bearing eight percent interest,⁶ which on some of the bonds had to be eventually raised to ten percent.⁷ The courthouse was formally received by the board on September 1, 1875.⁸ On September 2, county officers were ordered to move into the new building.⁹ The total cost, including \$237.50¹⁰ for plans and specifications, extras and building committee fees, did not exceed \$25,000.00.¹¹

No material changes were ever made to this building though it has been well kept up during the sixty-five years of its use. However, due to the tremendous growth of county business, especially since the turn of the century when large-scale coal mining was introduced into Franklin County, this building has become inadequate. However, the building's cross-shape would permit, at moderate cost, two-story additions at one or more corners to give extra vault and office space. Records would be made more accessible, especially those housed in the open attic which must be reached through a trap door. (For floor plans of courthouse and arrangement of offices and vaults, see pages 87-90.) Some of the most important county offices have had to find quarters outside of the courthouse. Thus we find the treasurer's office, with two vaults, located on the first floor of the Mercantile Bank Building facing the public square; the county judge's office on the second floor of the Wood Building, to the north of the public square; the old age assistance office on the fifth floor of the First National Bank Building fronting on the public square; the coroner's office in his residence at Ewing. The office of the superintendent of the county home is in the south room on the first floor on the county home located three miles southeast of the courthouse.

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1. Supervisors' Record, v. A, p. 104, see entry 2.
 2. Ibid., p. 101,103.
 3. Ibid., p. 107,108.
 4. Ibid., p. 172.
 5. Ibid., p. 107,108.
 6. Ibid., p. 121.
 7. Ibid., p. 172.
 8. Ibid., p. 273.
 9. Ibid., p. 276.
 10. Ibid., p. 120.
 11. Ibid., p. 110,137,139,173.

Only a small amount of records are housed in any of the major offices; vaults and other depositories contain the bulk of records. Thus, only 121 volumes and 84 files, roughly between 2 and 3 percent, are kept in the offices. There are 4,828 volumes stored outside of offices, of which 811 volumes are in the jury rooms on the second floor: 1,215 volumes in the east and west washrooms, on the first floor; 386 volumes in the attic; and the remainder in vaults. Also in the vaults are 835 files. Of the unbound records, roughly 95 percent are kept in vaults, the remainder in various offices. (For allocation of records in depositories according to county offices, as well as percentages of records stored therein, see charts on pages 82,83; for detailed information concerning individual depositories with a description of facilities for the housing of records see charts on pages 84-86.)

Provisions for the care of records have always been scrupulously carried out: binding and repair of record volumes are under the direct supervision of the county board. Valuable records lost in the fire of 1843, when the clerks' office building was destroyed, have been in some measure replaced. Through the instrumentality of Franklin County officials an act was passed by the General Assembly in 1845 to restore as much as possible of the county records lost in the fire.¹ The statute set up a board of investigators, consisting of Samuel K. Casey, Walter S. Akin, and L. R. Harrison, and a secretary, S. M. Hubbard,² who was shortly after replaced by William Browning.³ This board had powers to purchase books, administer oaths, summon witnesses, take testimony pertaining to the records, impose fines, and take all other similar actions that would aid in replacing the lost records. The members of this board were paid \$1.75 per day while at work and the legislature appropriated a sum not exceeding \$500.00 to defray expenses.⁴ Eventually, the work was completed to the satisfaction of the county commissioners' court, for, on June 4, 1846, it requested the board of investigators to distribute the restored records to the proper officials.⁵ The cost amounted to \$500.04,⁶ which could be construed as within the reasonable limit of what the law permitted despite the four-cent excess.

Attention was given to the recorder's books for some few years, particularly to the indexing of deed records. On June 7, 1855, a former circuit court clerk-recorder, William Browning, was allowed \$24.39 for indexing 490 deeds in volume D and 320 in volume C; and Thomas J. Mooneyham, recorder at the time, was "requested" to make a complete index to volume B. He was also

1. L. 1845, p. 213.

2. Ibid.

3. County Court Record, v. D (1838-46), p. 436, in Supervisors' Record, see entry 2.

4. L. 1845, p. 213.

5. (County Court Record), v. not lettered (1846-50), p. 44, in Supervisors' Record, see entry 2.

6. Ibid., p. 427,453,459,460.

Housing, Care, and Accessibility of the Records

allowed \$28.20 for indexing 104 deeds in volume D, 531 in volume E, and 205 in volume F.¹ In 1858, volume B of the Deed Record was rebound, and circuit clerk-recorder Lemuel R. Harrison was allowed \$60.00 for transcribing and indexing it.² Quick to check any lapse or inattention on the part of county officials, the board had James J. Dollins make up orders in the probate court for the years 1854 to 1857, work which a former clerk had omitted to do. Dollins was allowed \$283.40 for this work in December, 1859.³

Franklin County, in spite of the loss of some records by fire, is one of the few southern Illinois counties that still retains its most important records more or less intact and in fair condition. The assessor's⁴ and collector's⁵ books, for example, are shown in this inventory as having several volumes missing; but such gaps fortunately are only for one year for a few townships and do not particularly affect the value of the series.

The most serious and irreplaceable loss from an historical standpoint was the destruction in the fire of 1843 of all the proceedings of the county board prior to 1838.⁶ Otherwise, all the required records are represented in the archives of Franklin County.

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1. County Court Record, v. D (1854-62), p. 104, in Supervisors' Record, see entry 2.
 2. Ibid., p. 307.
 3. Ibid., p. 442.
 4. See entry 38.
 5. See entry 44.
 6. See entry 2.

CHART OF COUNTY OFFICES SHOWING PERCENTAGE OF RECORDS IN DEPOSITORIES

Office	Volumes	Files	Other	Depository and Percent of Records
County board	169	63 f.b.	22 plans	co. clk.'s west vlt. 14.2; co. clk.'s east vlt. 44.1; attic 15.2; west wash-rm. 25.4; jurors' north rm. 1.1
County clerk	2851	93 f.b.	43 cartons	co. clk.'s off. 0.2; co. clk.'s west vlt. 19.5; co. clk.'s east vlt. 12.6; treas.'s vlt. 0.1; jurors' north rm. 3.3; jurors' west rm. 22.4; attic 12.3; west wash-rm. 17.4; east wash-rm 12.2
Recorder	639	13 f.b.	- - - -	cir. clk.'s east vlt. 86.7; cir. clk.'s south vlt. 4.5; cir. clk.'s off. 0.3; co. clk.'s east vlt. 0.2 jurors' north rm. 8.3
County court	140	172 f.b.	- - - -	co. clk.'s east vlt. 20.2; co. clk.'s west vlt. 45.5; co. clk.'s off. 0.7; west wash-rm. 30.1; co. judge's off. 0.7; jurors' north rm. 1.4; jurors' west rm. 0.7; attic 0.7
Probate court	173	309 f.b.	- - - -	co. clk.'s east vlt. 38.7; co. clk.'s west vlt. 60.3 jurors' north rm. 1
Circuit court	544	209 f.b.	1 carton	cir. clk.'s south vlt. 62.3; cir. clk.'s east vlt. 26.9; cir clk.'s off. 0.9; jurors' north rm. 2.6; attic 0.4; east wash-rm. 0.9; west wash-rm. 6
State's attorney	- - - -	- - - -	- - - -	state's attorney keeps no records; the record of his annual reports to the circuit court is in cir. clk.'s east vlt.
Sheriff	24	- - - -	- - - -	sh.'s off. 20.8; sh.'s south rm. 20.8; east wash-rm. 16.7; jurors' north rm. 20.8; jurors' west 4.2; attic 4.2; west wash-rm 12.5
Coroner	10	- - - -	- - - -	cor.'s off. 10; cir. clk.'s off. 90
Supervisor of assessments	1	14 f.b.	- - - -	co. clk.'s east vlt. 99; co clk.'s off. 1

Office	Volumes	Files	Other	Depository and Percent of Records
Board of review	3	- - - -	- - - - -	co. clk.'s east vlt. 100
Collector	258	14 f.b.	4 bdl.	treas.'s off. 1; treas.'s large vlt. 24; treas.'s small vlt. 10; west wash-rm 64; attic 1
Treasurer	36	- - - -	- - - - -	treas.'s large vlt. 69.4; treas.'s small vlt. 13.9 attic 8.3; west wash-rm. 5.6; east wash-rm. 2.8;
Superintendent of schools	97	18 f.b.	1 folder 660 reports	off. of supt. of sch. 100
Superintendent of highways	3	4 f.d.	1 bdl. 840 plans	off. of supt. of hways. 100
Surveyor	- - - -	- - - -	- - - - -	cir. clk.'s east vlt. 100
Department of public welfare	- - - -	8 f.b.	- - - - -	old age assistance off. 100
County home	1	- - - -	- - - - -	south rm. of county home 100
Mine inspector	- - -	- - - -	- - - - -	reports sent to State Department of Mines and Minerals
Farm bureau	- - -	- - - -	- - - - -	reports sent to State and Federal Departments of Agriculture

CHART OF DEPOSITORIES, SHOWING LOCATION, CONTENTS, AND CONDITION
 Franklin County Courthouse, South Main, North Main, East Main, and West Main streets, Benton
 (Two stories and attic; brick with stone trim construction [1874-75]; 285,000 cubic feet)

Depository	Floor Location	Dimensions	Floors	Walls & Ceiling	Light & Ventilation	Accommodations	Shelving		Records			Housing & Accessibility
							Type	Feet	Quantity	Vols.	Files	
Co. clk.'s off.	1st w.	14x20x18	wood	plaster	electric 4 win-dows	5 desks	steel	15	5	3 f.b.	- - -	good
Co. clk.'s west vlt.	1st w.	12x21x21	concrete	plaster	electric 2 win-dows	1 table 1 desk	steel wood	394	764	263 f.b.	- - -	crowded; space needed; some dust
Co. clk.'s east vlt.	1st w.	12x18x21	concrete	plaster	electric no win-dows	1 table	steel wood	270	521	365 f.b.	- - -	crowded; space needed; damp
Cir. clk.'s off.	1st e.	14x20x18	wood	plaster	electric 4 win-dows	none	- -	- -	3	37 f.b.	- - -	crowded; space needed
Cir. clk.'s east vlt.	1st e.	14x21x12	concrete	plaster	electric 2 win-dows	1 table	steel wood	249	717	27 f.b.	- - -	space and equipment needed; dusty
Cir. clk.'s south vlt.	1st e.	12x18x11	concrete	plaster	electric no win-dows	1 table	steel wood	240	364	172 f.b.	- - -	crowded; space needed; some dust
Sh.'s off.	1st se.	14x14x18	wood	plaster	electric 1 win-dow	1 table	- -	- -	5	- - -	- - -	good
Sh.'s south rm.	1st se.	14x18x6	wood	plaster	electric 2 win-dows	1 table 1 chair	wood	9	5	- - -	- - -	good
Off. of supt. h'ys.	2nd s.	10x12x24	wood	plaster	electric 4 win-dows	1 table 1 desk	wood	22	3	4 f.d.	1 folder 840 plans	dusty

CHART OF DEPOSITORIES, SHOWING LOCATION, CONTENTS, AND CONDITION
Franklin County Courthouse (continued)

Depository	Floor Location	Dimen- sions	Floors	Walls & Ceiling	Light & Venti- lation	Accommo- dations	Shelving		Records			
							Type	Feet	Quantity			
									Vols.	Files	Other	Housing & Accessi- bility
West wash- room	1st sw.	14xl3x7	wood	plaster	electric 1 win- dow	none	wood	14	876	8 f.b.	43 cartons 22 plans	space and equipment needed
East wash- room	1st se.	14xl3x7	wood	plaster	electric 1 win- dow	none	wood	40	339	- - -	- - - -	space and equipment needed
Jurors' north rm.	2nd n.	14x26xl2	wood	plaster	electric 3 win- dows	none	wood	64	176	- - -	- - - -	crowded; space and equipment needed
Jurors' west rm.	2nd w.	14x21xl3	wood	plaster	electric 4 win- dows	none	- - -	- -	635	- - -	- - - -	equipment needed
Attic	--	11x90x80	wood	unfin- ished	none	none	- - -	- -	386	- - -	- - - -	dusty

Mercantile Bank Building, Public Square, Benton
(Two stories; brick construction [1900]; 39,600 cubic feet)

Treas.'s off.	1st	14x46x18	wood tile	plaster metal	electric 1 win-dow	1 counter 4 desks 4 chairs	wood	5	- -	14 f.b.	- - - -	good
Treas.'s large vlt.	1st	10x9x7	wood	steel	electric no win-dows	1 desk	wood	20	35	- - -	1 bdl.	crowded; some dust
Treas.'s small vlt.	1st	10x6x6	wood	steel	electric no win-dows	none	wood	40	15	- - -	3 bdls.	some dust

CHART OF DEPOSITORIES, SHOWING LOCATION, CONTENTS, AND CONDITION

Wood Building, North Side of Public Square, Benton

(Six stories; brick construction [1920]; 729,000 cubic feet)

Depository	Floor Location	Dimen- sions	Floors	Walls & Ceiling	Light & Venti- lation	Accommo- dations	Records					Housing & Accessi- bility	
							Shelving		Quantity				
							Type	Feet	Vols.	Files	Other		
Co. judge's off.	2nd	17x18x11	tile	plaster	electric 2 win- dows	1 desk 1 chair	--	--	1	--	--	--	good

Coroner's Residence, Ewing

(Two stories; frame construction [1901]; 378,000 cubic feet)

Coroner's off.	2nd	9x16x16	wood	plaster	electric 3 windows	none	- -	- -	1	- - - -	- - - -	good
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Ward Building, Public Square, Benton

(Three stories; brick construction [1906]; 378,000 cubic feet)

Off. of supt. sch.	2nd	12x13x18	wood	plaster	electric 2 windows	1 table 2 chairs	steel wood	94	97	18 f.b.	1 folder 660 reports	good
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First National Bank Building, Public Square, Benton

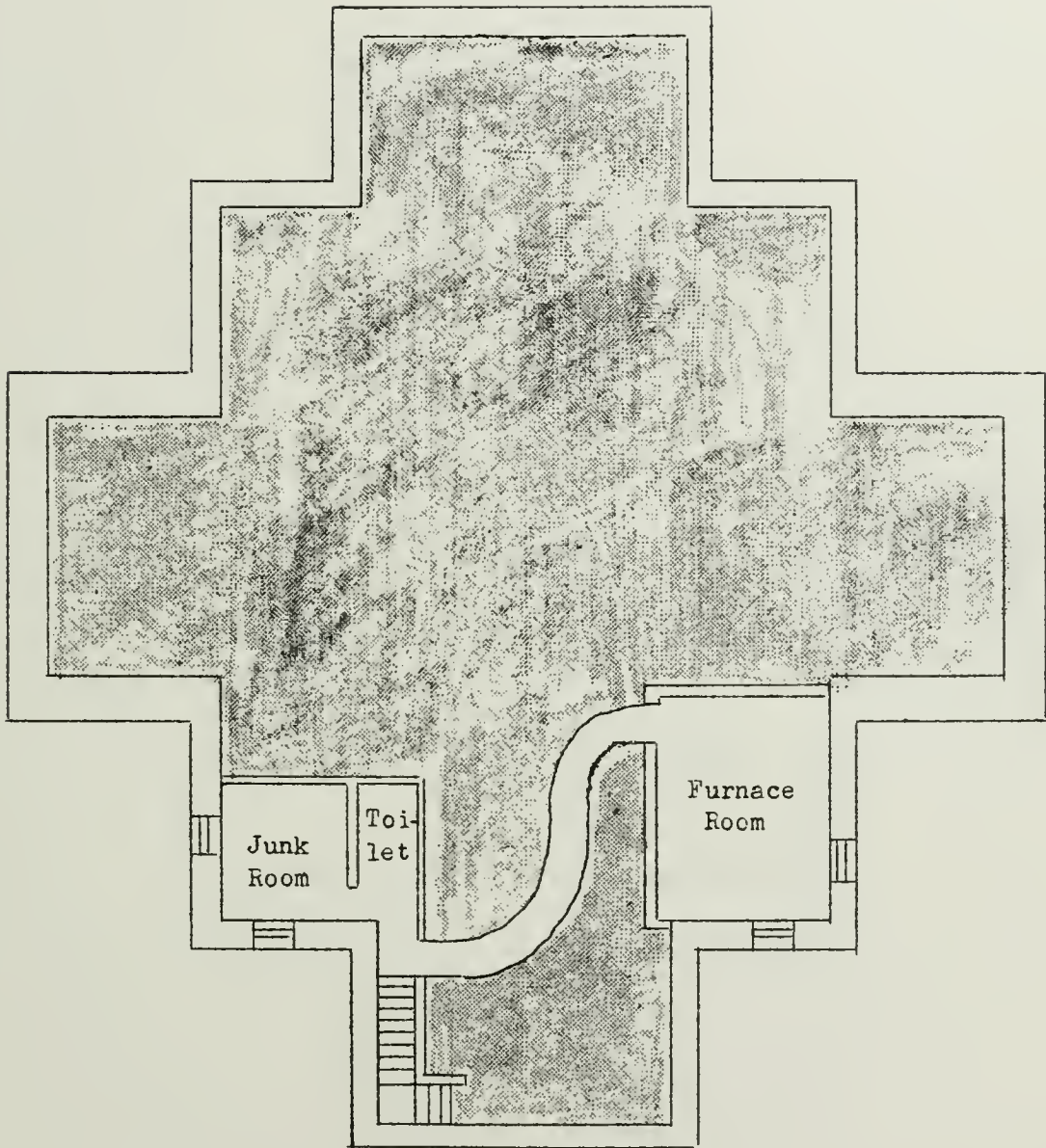
(Six stories; brick and concrete construction [1919]; 295,750 cubic feet)

Old age assist. off.	5th	10x12x12	cement	plaster	electric 3 windows	none	- -	- -	- -	8 f.b.	- - - -	good
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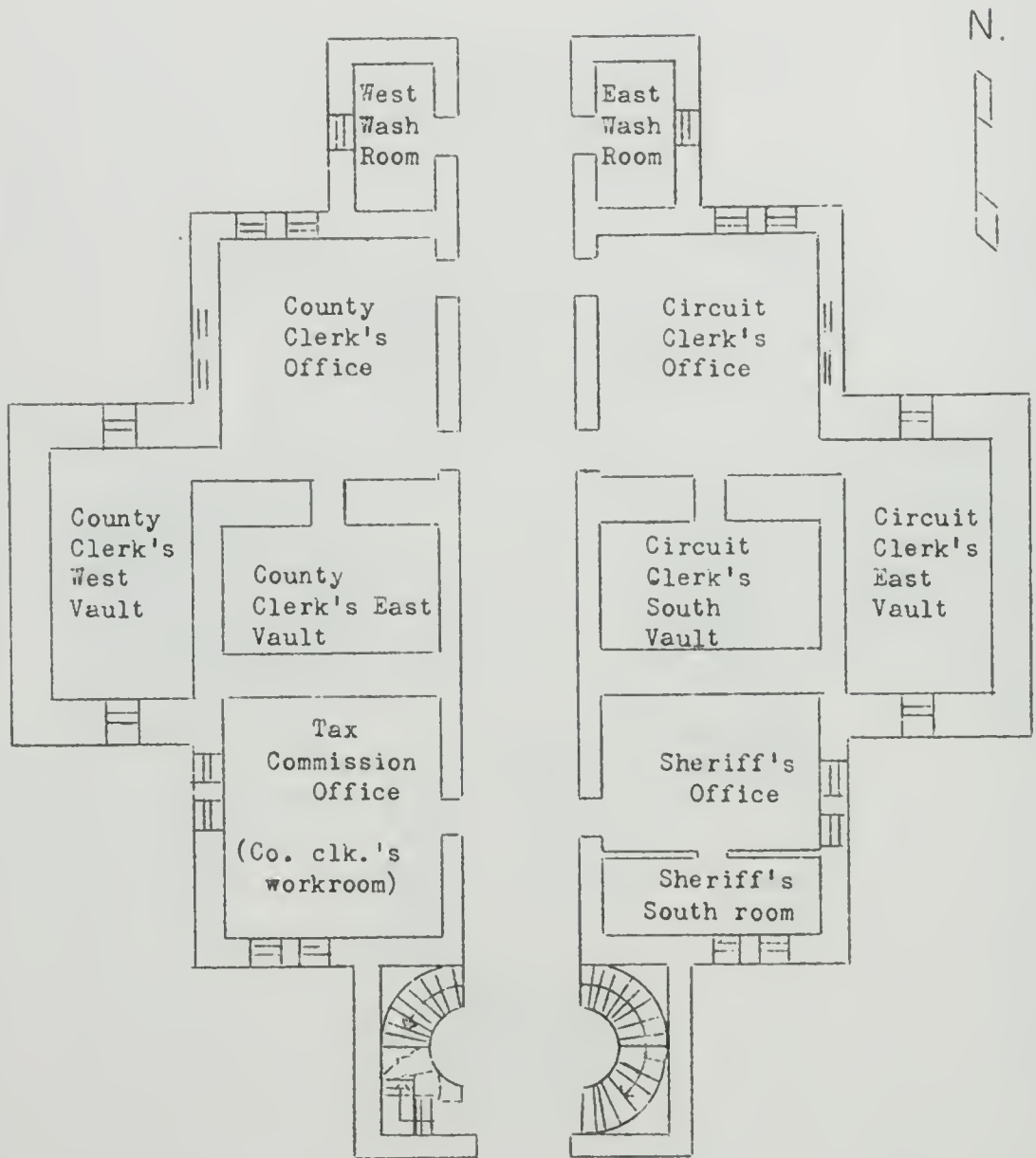
County Home, Benton, three miles southeast of Courthouse

(Two stories; brick construction [1914]; 60,000 cubic feet)

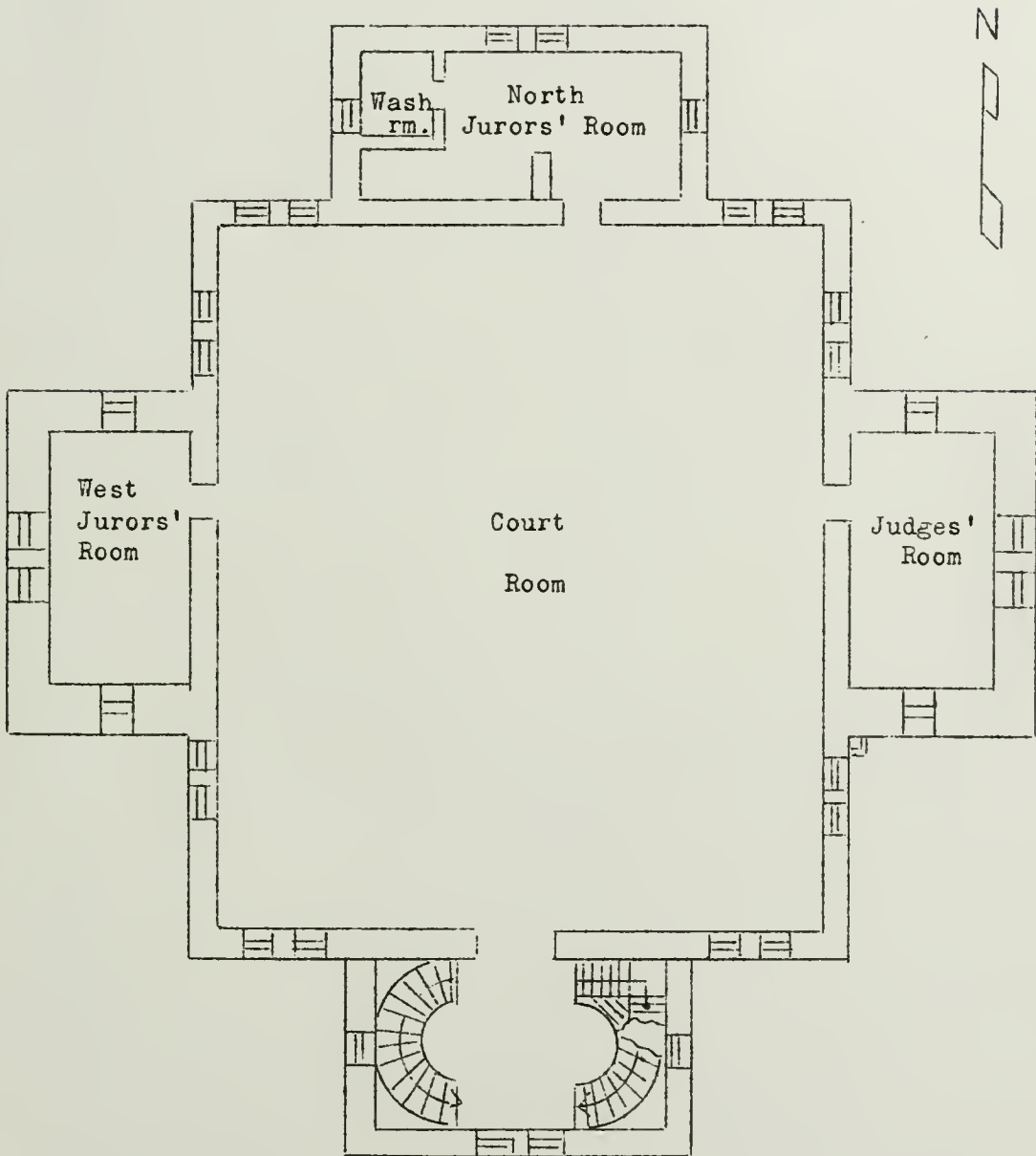
South rm.	1st	10x10x12	wood	plaster	electric 2 windows		wood	2	1	- - - -	- - - -	good
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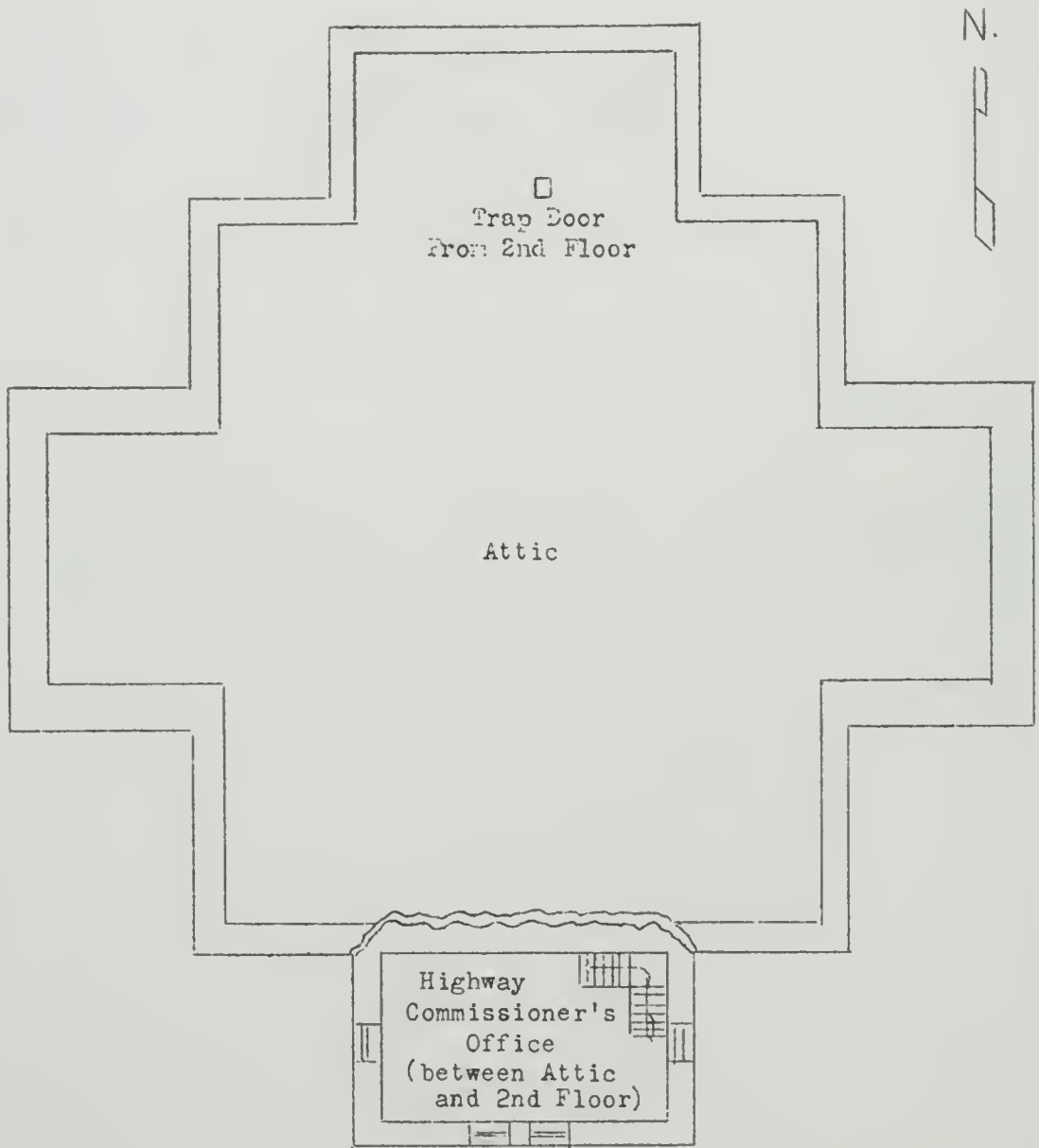
FRANKLIN COUNTY COURTHOUSE
BASEMENT



FRANKLIN COUNTY COURTHOUSE
FIRST FLOOR



FRANKLIN COUNTY COURTHOUSE
SECOND FLOOR



FRANKLIN COUNTY COURTHOUSE
ATTIC

4. ABBREVIATIONS, SYMBOLS, AND EXPLANATORY NOTES

alph.	alphabetical(ly)
app.	appendix
arr.	arranged, arrangement
Art.	Article
assr.	assessor
atty.	attorney
aud.	auditor
bd.	board
bdl.	bundle(s)
bldg.	building
bsmt.	basement
cf.	confer, compare
ch.	chapter(s)
chron.	chronological(ly)
cir.	circuit
clk.	clerk
co.	county
coll.	collector
comp.	compiler
Const.	Constitution
cont.	continued
cor.	coroner
ct.	court
dept.	department
ed.	edited, edition, editor
f.b.	file box(es)
f.d.	file drawer(s)
f., ff.	and following (page, pages)
fl.	floor
fm.	form
ft.	feet
gen.	general
hdgs.	headings
hdw.	handwritten
hwys.	highways
ibid.	ibidem (in the same place)
idem.	the same as that mentioned above
i.e.	id est (that is)
Ill.	Illinois Reports (Supreme Court)
Ill. App.	Illinois Appellate Court (Reports)
Ill. Rev. Stat.	Illinois Revised Statutes (Smith-Hurd)
Ill. S.A.	Illinois Statutes Annotated
in.	inch(es)
L.	Laws (of Illinois)
n.	footnote(s)
no(s).	number(s)
N.W.	Northwestern Reporter
off.	office

p.	page(s)
pr.	printed
Priv. L.	Private Laws (of Illinois)
pro.	probate
rec.	recorder
R.L.	Revised Laws (of Illinois)
rm.	room
R.S.	Revised Statutes (of Illinois)
sch.	school(s)
sec.	section(s)
sep.	separate
Sess.	Session
sh.	sheriff
Sp.	Special
strm.	storeroom
supt.	superintendent
surv.	surveyor
treas.	treasurer
twp(s).	township(s)
U.S.R.S.	United States Revised Statutes
U.S. Stat.	United States Statutes at Large
v.	volume(s)
vet.	veterinarian
vice	in place of
vlt.	vault
--	current

1. Despite inaccuracies in spelling and punctuation, titles of records are shown in the inventory proper exactly as on volumes and file boxes. The current or most recent title is used as the title of the entry and title variation is indicated.

2. Explanatory additions to inadequate titles and corrections of erroneous titles are enclosed in parentheses and have initial capitals.

3. In the absence of titles, supplied titles are capitalized and enclosed in parentheses.

4. In the title line, letters or numbers in parentheses indicate the exact labeling on volumes or file boxes. If no labeling is indicated, it may be assumed that there is none.

5. Title-line cross references are used to show the continuity of a record series which has been kept separately for a period of time and with other records for different periods of time, as in entry 4, "1892-1923 in County Court Papers, Miscellaneous (County Clerk's File), entry 94." They are also used in all artificial entries - records which must be shown separately under their own proper office or section heading even though they are kept in files or records described elsewhere in the inventory, as in entry 32, "In Probate Court Files, entry 172." In both instances, the description of the master entry shows the title and entry

Abbreviations, Symbols,
and Explanatory Notes

number of the record from which the cross reference is made, as, for example, these words do in entry 94: "Also contains. . . Franklin County Claims, 1892-1923, entry 4; . . ." Dates shown in the description of the master entry are only for the part or parts of the record contained therein, and are shown only when they vary from those of the master entry.

6. All dates used are inclusive.

7. When two or more types of containers are considered in a single entry, the quantity is shown in chronological order, insofar as possible.

8. The description of the contents of a record applies only to the current or most recent record unless change in contents is actually shown in a record entry.

9. Separate third-paragraph cross references from entry to entry and see also references with subject headings or subheadings are used to show prior, subsequent, or closely related records which are not parts of the same series.

10. Where no statement is made that the record was discontinued at the last date shown in the entry, it could not be definitely established that such was the case. Where no comment is made on the absence of prior, subsequent, or intermediate records, no definite information could be obtained.

11. Unless the index is self-contained, an entry for the index immediately follows its record entry. Cross references are given for exceptions to this rule. All indexes to records, when otherwise stated, are self-contained.

12. Records may be assumed to be in good condition unless otherwise indicated.

13. On maps and plat records, the names of author, engraver, and publisher, and information on scale have been omitted only when this data was not ascertainable.

14. Unless otherwise specified, all records are located in the county courthouse. When all or the majority of the records of an office have a common location, the location is indicated in the last sentence of the office essay instead of in each individual entry.

B. County Offices
and
Their Records



I. COUNTY BOARD

In Illinois, the county board is that body which exercises the corporate or politic power of the county.¹ Franklin County was created by the Territorial Legislature of Illinois on January 2, 1818.² The first administrative body was the territorial county court which was composed of three judges.³ This body functioned for a few days⁴ when it was supplanted on January 12, 1818, by "the Justices' Court."⁵ This court was composed of all the justices of the peace in the county, three of whom constituted a quorum to do business. The court held three terms annually and was granted the same powers and jurisdiction in cases relating to public roads and highways, county taxes, elections and other concerns of the county, formerly vested in the territorial county court. The justices' court continued in existence until April, 1819, when it was replaced by the county commissioners' court which was created by the Constitution of 1818.⁶ In Franklin County three bodies have since acted as a county board: the county court, the board of county commissioners, and the board of supervisors.

The Constitution of 1818 provided that there should be elected in each county, for the purpose of transacting all county business, three commissioners whose term of service, powers, and duties should be regulated and defined by law.⁷ The first General Assembly denominated the commissioners a court of record, styled the county commissioners' court.⁸ Four annual sessions were required to be held for six days each, unless the business should be completed sooner; additionally, any one of the commissioners had power, upon giving five days' notice to the remaining commissioners and the clerk of the court, to call a special court which had the same authority as at a regular session.⁹ The first commissioners were elected for an irregular term,¹⁰ subsequently, it was provided that

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1. R.L. 1827, p. 107; R.S. 1845, p. 130; R.S. 1874, p. 306.
 2. Laws of Illinois Territory, 1817-18, p. 11.
 3. Nathaniel Pope, ed., Laws of the Territory of Illinois, II, 346, 349.
 4. Laws of Illinois Territory, 1817-18, p. 98.
 5. Ibid., p. 90-92.
 6. Const. 1818; sec. 4.
 7. Const. 1818, Schedule, sec. 4.
 8. L. 1819, p. 175.
 9. Ibid., p. 175, 176.
 10. Ibid., p. 100. The commissioners were to continue in office from the election held on the fourth Monday in April, 1819, until the first Wednesday in August, 1820, and until their successors were elected and qualified. Not until 1821 was provision made for the election of such successors (L. 1821, p. 80). In Franklin County, the first commissioners held office from April, 1819, to August, 1820.

they should be elected at each biennial general election;¹ and by an act of 1837, the term was lengthened to three years and staggered, with one new commissioner elected annually.² Thereafter, the commissioner who was longest in office was to be recognized as the presiding officer of the court.³ Compensation, originally set at the sum of \$2.50 for each days' attendance in holding court,⁴ later was reduced to \$1.50.⁵ In 1821, provision was made for the removal of commissioners for malfeasance or nonfeasance of duties, with proceedings as in criminal cases;⁶ when the first criminal code was enacted in 1827, the penalty was modified to a fine of not more than \$200, with removal from office only upon recommendation of the jury.⁷ Vacancies resulting from any cause were filled by special election upon order of the clerk of the court to the district judges of election.⁸

In 1848, when the State of Illinois adopted a new constitution, the county commissioners' court was discontinued. In its place, the constitution provided for an administrative body to be composed of an elected officer, the county judge, and such number of justices of the peace as should be required by law.⁹ In the following legislative session, the General Assembly provided for the election of two justices of the peace to sit with the county judge to transact county business.¹⁰ Their term of office, like that of the county judge, was set at four years.¹¹ This body, styled the county court, was required to hold four sessions annually and when so sitting, had all power, jurisdiction, and authority formerly conferred upon the county commissioners' court.¹² The compensation of the county judge was originally set at \$2.50 for every day of holding court.¹³ In 1855 the amount was increased to \$3.00.¹⁴

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1. L. 1821, p. 80.
 2. L. 1837, p. 103, 104. In 1838, to initiate the new procedure, the three commissioners elected were to draw lots marked one, two, and three years to determine length of term. This was not done in Franklin County until 1839.
 3. Ibid., p. 104.
 4. L. 1819, p. 176.
 5. R.L. 1827, p. 205.
 6. L. 1821, p. 20. Conviction carried disqualification from holding office for one year.
 7. R.L. 1827, p. 145.
 8. L. 1837, p. 104. No election was required to be held if the term of the commissioner vacating office would have expired within six months from the date of vacancy.
 9. Const. 1848, Art. V, sec. 16, 17, 19.
 10. L. 1849, p. 65, 66.
 11. Const. 1848, Art. V, sec. 17; L. 1849, p. 62, 65, 66.
 12. L. 1849, p. 65.
 13. Ibid., p. 63.
 14. L. 1855, p. 131.

County Board

The new constitution also directed the General Assembly to provide, by general law, for a township organization under which any county might organize whenever a majority of the voters in the county should so determine.¹ By provision of the subsequent enabling acts,² a board of supervisors, whose members were to be elected one in each township annually,³ was created to transact all county business in counties adopting township organization.⁴ The board of supervisors was to meet for one regular session a year with the provision that special meetings might be held when convenient.⁵ The board members were compensated at the rate of \$1.50 a day,⁶ and a fine was provided in the sum of \$250.00, for refusal to perform, or neglect of duties.⁷

Franklin County was governed by the county court from 1849 to 1872, when township organization was instituted. In 1870 Illinois adopted a new constitution, which continued the provision for township organization in counties so electing,⁸ and provided for a different form of county board to supplant the county court as an administrative body. This board was to consist of three officers, styled county commissioners, and by subsequent legislation, was given all powers, jurisdiction, and authority formerly vested in the county court when acting in its administrative capacity.⁹ Between 1872 and 1885 Franklin County adopted the commission form of government twice, but reverted to the township form in 1885 which form it has retained to the present.¹⁰

Since 1874 population has been a factor in local representation on the board of supervisors. In that year, each town or city, besides its regular supervisors, became entitled to one assistant supervisor if it had four

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1. Const. of 1848, Art. VII, sec. 6.
 2. L. 1849, p. 190-224; L. 1851, p. 35-78. The later law repealed and was a complete substitute for the earlier, but so far as their effect on the sphere of county government is concerned, there was almost no difference between the two.
 3. L. 1849, p. 192; L. 1851, p. 38.
 4. L. 1849, p. 202-4; L. 1851, p. 50-52.
 5. L. 1849, p. 202; L. 1851, p. 51. In 1861 it was provided that special meetings could be called upon request of one third of the members of the board (L. 1861, p. 236). Since 1899 the board has been required to hold two regular meetings (L. 1899, p. 363).
 6. L. 1849, p. 203; L. 1851, p. 52. In 1861 compensation was increased to \$2.00 a day (L. 1861, p. 238).
 7. L. 1849, p. 203, 204. This fine was reduced in 1851 to \$200 (L. 1851, p. 52). Subsequent legislation reduced it still further and added the more frequent penalty for misfeasance, disqualification for office (R.S. 1874, p. 1080).
 8. Const. 1870, Art. X, sec. 5.
 9. Ibid., sec. 6; L. 1873-74, p. 79, 80.
 10. See ch. 1, Historical Sketch, p. -, for dates of changes in government.

thousand or more inhabitants, two if sixty-five hundred, and one more for every additional twenty-five hundred.¹ In 1931, these population requirements were made to affect only those counties having less than one hundred thousand inhabitants.² The differentiating figure was reduced in 1933 to ninety thousand;³ however, in counties having population of ninety thousand or more, each town or city was allowed one additional supervisor for every five thousand inhabitants, or major fraction thereof.⁴ Franklin, with its population of 53,137 according to the 1940 census was not affected at either time.⁵ The assistant supervisors, whose terms run concurrently with those of regular supervisors,⁶ have no power or duties as town officers, but are members of the county board and enjoy the same powers and rights as other members.⁷ At present its board of supervisors has twenty-three members. The term office of supervisors, lengthened in 1889 to two years,⁸ was further extended in 1929 to four years.⁹ Compensation was increased from \$1.50 to \$5.00 a day in 1919,¹⁰ lowered to \$4.00 in 1933,¹¹ and raised again to \$5.00 in 1937,¹² with an allowance of five cents per mile for necessary travel.

The functions of the Illinois county board, in contrast to its legal status, have undergone little change since the beginning of statehood, the development being merely one of accretion and increasing complexity of duties within a well-defined and nearly static sphere of authority and jurisdiction. The law establishing the court of county commissioners conferred upon it jurisdiction in all matters concerning county revenue.¹³ Of this basic provision, nearly all other statutory powers of the court can be considered extensions; some, enunciated in the same law, already show such a legislative viewpoint. The court was given power to regulate and impose the county tax, and to grant such licenses as might also bring in a revenue; additionally, it was given authority over all public roads, canals, turnpike roads, and toll bridges.¹⁴ Other legislation by the first General Assembly gave the court power to buy and sell lots whereon to erect

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1. R.S. 1874, p. 1075.
 2. L. 1931, p. 908.
 3. L. 1933, p. 1116.
 4. Ibid.; L. 1939, p. 1205,1206.
 5. U. S. Bureau of the Census, Population of the State of Illinois, Press Release, 1941.
 6. L. 1933, p. 1115.
 7. R.S. 1874, p. 1078,1080; L. 1925, p. 605; L. 1929, p. 774; L. 1931, p. 905,907; L. 1933, p. 1115.
 8. L. 1889, p. 109; L. 1917, p. 793; L. 1925, p. 605.
 9. L. 1929, p. 774,775; L. 1931, p. 906.
 10. L. 1849, p. 203; L. 1857, p. 186; L. 1871-72, p. 444; L. 1919, p. 569.
 11. L. 1933, p. 615.
 12. L. 1937, p. 601.
 13. L. 1819, p. 175.
 14. Ibid.

County Board

buildings and to contract for their construction;¹ later, in the case of the courthouse at least, the court was declared to have the care and custody of the property and the right to make certain disposition of it.² Care of the indigent was also made a function of the court; it was required to make appropriations, to be levied and collected in the same manner as other county revenue, for their support. As an extension of this fiscal function, it was required to appoint an overseer of the poor in every township and establish a county poorhouse if necessary.³ Fiscal control over school lands was exercised at first solely through the court's power of appointment of the trustees of school lands;⁴ after the creation of the office of county school commissioner,⁵ firmer control was effected through the medium of reports which the commissioner was required to submit to the court.⁶ The court also had authority to examine the full accounts of the commissioner.⁷ Other functions of the court were its duties in relation to elections and juries. It had authority to establish precincts,⁸ to appoint judges of election,⁹ and to allow compensation to officials for services and stationery.¹⁰ Two panels each of petit and grand jurors were required to be selected. The former were enrolled on the list of taxable inhabitants; the latter only to be freeholders or householders.¹¹

The substitution of the county court for the county commissioners' court produced no important changes in the sphere of government, neither the second constitution nor the enabling legislation made any original pronouncements with regard to the powers or duties of the former.¹²

The revised law on township organization, in the main, only made more inclusive and definite the powers of the board.¹³ The board was given authority to purchase and hold any land within the county for the use of its inhabitants; it was also given authority to make such contracts,

1. L. 1819, p. 237, 238.

2. L. 1843, p. 128.

3. L. 1819, p. 127; L. 1839, p. 138, 139.

4. R.L. 1827, p. 366.

5. R.L. 1829, p. 150.

6. L. 1831, p. 175; R.S. 1845, p. 500, 501.

7. L. 1831, p. 175.

8. L. 1821, p. 74. There was in this law and in many of those following, a limit to the number of precincts which could be established. See L. 1825, p. 168; R.S. 1827, p. 256; R.L. 1829, p. 54; L. 1835, p. 141. Prior to 1821, each township was declared by statute to constitute an election district (L. 1819, p. 90).

9. L. 1819, p. 90.

10. Ibid., p. 99.

11. Ibid., p. 255; L. 1823, p. 182.

12. Const. 1848, Art. V, sec. 19; L. 1849, p. 65.

13. L. 1851, p. 35-78.

and to purchase and hold such personal property as might be necessary to the exercise of its powers; moreover, it could make such orders for the disposition, regulation, or use of the corporate property as might seem to be to the interest of the inhabitants.¹ Explicit also, was the authority to audit all claims against the county, and the accounts of such officers as were not otherwise provided for by law.² The board was also given power to appropriate funds for the construction of roads and bridges in any part of the county whenever a majority of the whole board might deem it proper and expedient.³

From the enabling legislation of the present constitutional period is drawn the following brief statement of the principal functions of the county board:

1. The purchase, sale, and custody of the real and personal property of the county.
2. The examination and settlement of accounts against the county.
3. The issuance of orders on the county treasury in pursuance of its fiscal administration.
4. The examination of accounts concerning the receipts and expenditures of county officers.⁴
5. The supervision of elections;⁵ the selection of juries;⁶ the construction and maintenance of roads and bridges;⁷ the care of the indigent, infirm, and disabled.⁸
6. The appropriation of funds necessary to the effecting of its functions;⁹ the raising of such sums through taxation; and in general, the management of county funds and county business.¹⁰

At all times the county board has had a clerk who has served it in a ministerial capacity. The law creating the county commissioners' court provided that it should have such an officer, and gave it the power to appoint him.¹¹ This appointive power was rescinded in 1837 by an act which made the office elective.¹²

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1. L. 1851, p. 50.
 2. Ibid., p. 51.
 3. Ibid.
 4. R.S. 1874, p. 306,307.
 5. Ibid., p. 456,468.
 6. Ibid., p. 630.
 7. Ibid., p. 310.
 8. Ibid., p. 757,758.
 9. Ibid., p. 307.
 10. Ibid., p. 306,307.
 11. L. 1819, p. 175.
 12. L. 1837, p. 49.

County Board

When the county court supplanted the county commissioners' court, the office of clerk of the latter body ceased to exist. A new office was created by statute, that of clerk of the county court.¹ When the court sat for the transaction of county business, its clerk was in effect a clerk of the county board; legal recognition of this distinction was given in the provision that the clerk should keep his records of the court's administrative actions separate from those of its judicial actions. For this purpose two sets of books were to be kept.²

In 1870 the new constitution established the office of county clerk;³ subsequently, the General Assembly provided that the county clerk should act as clerk of the county board⁴ as well as clerk of the county court.⁵ From that time to the present, the county board has been served in a ministerial capacity by this officer. The major record kept by the clerk for the county board is the minutes of its proceedings. This record includes orders to issue warrants on the county treasury; the board's action on committee reports on roads and bridges, indigent and infirm relief, schools, taxation, etc.; and its orders in regard to juries, licenses, and other matters within its jurisdiction.⁶

The clerk also keeps, separately, a register of orders issued on the county treasurer and lists of jury venire. He files and preserves all bills of accounts acted on by the board, and has custody of reports required to be made to the board by the county treasurer, various school bodies, and a number of other county officers.⁷ An obligation to preserve a multiplicity of other records is clearly set forth in the general provision requiring the clerk to have the care and custody of all papers appertaining to, as well as filed in his office.⁸

1. L. 1849, p. 63.

2. Ibid., p. 66.

3. Const. 1870, Art. X, sec. 8.

4. R.S. 1874, p. 322.

5. Ibid., p. 260.

6. L. 1819, p. 6, 28, 77, 127, 334, 335, 352; R.L. 1829, p. 151-53; L. 1831, p. 89, 90; L. 1835, p. 131, 132, 136; L. 1839, p. 71, 72; R.S. 1845, p. 287, 342, 403, 437; L. 1849, p. 66; L. 1861, p. 234-37; R.S. 1874, p. 322.

7. R.L. 1827, p. 366; L. 1845, p. 169; R.S. 1845, p. 136; L. 1861, p. 237.

8. R.S. 1874, p. 322.

(1-3)

County Board - Proceed-
ings; Disposition of
Accounts

Proceedings of Board

1. SUPERVISORS' PAPERS, 1872-1902. 35 f.b. (3-5, 9-17, 31, 51, 54, 55, 89, 97, 98, 139, 140, 174, 184-187, 195, 8 not numbered). 1903-26 in County Court Papers, Miscellaneous (County Clerk's File), entry 94; 1927-- in Probate Court Files, entry 172.

Files of original papers acted on by the county board, including communications, resolutions, petitions, bills and claims, reports of county officers and committees, jury lists, sheep claims, 1900-1902, financial statements, tax levies, county budget, and roll calls. No obvious arr. No index. Hdw. on pr. fm. 4 1/2 x 4 1/2 x 10. 27 f.b., 1872-88, co. clk.'s west vlt., 1st fl.; 8 f.b., 1889-1902, west wash rm., 1st fl.

2. SUPERVISORS' RECORD, 1838--. 14 v. (D, 1 not lettered, C-E, A-D, D-H). Title varies: County Court Orders, v. C, 1850-53; County Court Record, v. D, 1854-62; Sheriff's Certificate of Purchase, v. E, 1863-72.

Record of proceedings of county board, showing date of session, names of chairman and members of board, communications, committee reports, list of county officers' bonds, resolutions on petitions, reports of county officers, action on claims, organization of road districts and election precincts, jury lists, budgets and appropriations, tax levies and rates, and other business transactions of county board. Also contains Bond Record, 1838-72, entry 88; General Bond Record, 1839-1918, entry 89; Supervisors' Bonds, 1838-1913, entry 91. (Sale of School Lands), 1850-53, entry 293A, is contained in the first volume C of this record. Arr. by date of proceedings. No index. 1838-1927, hdw.; 1928--, typed. 200 - 600 p. 12 x 8 x 2 - 18 x 13 x 3. Co. clk.'s west vlt., 1st fl.

Disposition of Accounts

County Budget and
Appropriations (See also
entries 1, 2, 273, 279)

3. COUNTY CLERK'S BUDGET ACCOUNT, 1846--. 15 v. Missing: 1853-56, 1859-65, 1868, 1869, 1874-85, 1889-95, 1912, 1913, 1920-32.

Record of annual appropriations made by county board for various county funds, showing date and amount of appropriation and fund distribution. 1846-1919, arr. by date of appropriation; 1933--, arr. alph. by name of fund. No index. 1846-1919, hdw.; 1933--, hdw. under pr. hdgs. 225 - 300 p. 14 1/2 x 9 x 1 - 20 x 12 x 2. 13 v., 1846-1919, west wash rm., 1st fl.; 2 v., 1933--, co. clk.'s east vlt., 1st fl.

Bills and Claims (See also entries 1, 2, 94[viii], 309[i])

4. FRANKLIN COUNTY CLAIMS, 1924--. 13 f.b. 1892-1923 in County Court Papers, Miscellaneous (County Clerk's File), entry 94. Claims against county showing date, amount, and nature of claim, name of claimant, and date of filing. Arr. by date of claim. No index. Hdw. and typed on pr. fm. 4 1/2 x 5 x 9 1/2. Co. clk.'s west vlt., 1st fl.

5. REGISTER OF CLAIMS, 1892--. 4 v. (1, 2, 2, 3). Register of claims against county funds allowed by board of supervisors, showing date, amount, number, and purpose of claim, and name and signature of claimant. Arr. by date of claim. No index. Hdw. under pr. hdgs. 400 p. 16 x 12 x 2. V. 1, 2, 1892-1923, west wash rm., 1st fl.; v. 2, 3, 1924--, co. clk.'s west vlt., 1st fl.

6. DOCKET OF SHEEP KILLED, 1881-99. 1 v. Register of sheep claims, showing date, number, and amount of claim, number of sheep killed, names of appraisers, value of sheep, amount of justice and constable fees, amount allowed from dog license fund, and signature of recipient. Arr. by date of claim. No index. Hdw. under pr. hdgs. 100 p. 16 x 10 1/2 x 1/2. West wash rm., 1st fl.

Registers of County Orders (See also entries 282-287, 312)

7. MOTHERS' PENSION ACCOUNT BOOK, 1914--. 4 v. (1-4). Register of mothers' pension payments, showing name of mother, date, number and amount of order, and date of cancellation. Arr. by date of payment. Indexed alph. by name of mother. Hdw. under pr. hdgs. 300 p. 16 x 10 1/2 x 1 1/2. V. 1, 1914-21, 3, 4, 1925--, co. clk.'s vlt., 1st fl.; v. 2, 1922-24, west wash rm., 1st fl.

8. COUNTY HIGHWAY WARRANT REGISTER, MOTOR FUEL TAX, 1936--. 2 v. (1, 1 not numbered). Title varies: Motor Fuel Tax Orders, v. 1, 1936. Register of county highway warrants, showing number, date, purpose, and amount of warrant, name of payer, and date of cancellation. Volume 1 has been transcribed into the unnumbered volume. Arr. by warrant no. No index. Hdw. under pr. hdgs. 75 - 300 p. 14 x 13 x 1/2 - 18 x 13 x 1 1/2. Co. clk.'s east vlt., 1st fl. For stubs of warrants issued, 1931-36, see entry 17.

9. RECORD OF COUNTY ORDERS, 1847-78, 1883-1913. 2 v. 1879-82 in Register of County Orders and Jury Certificates, entry 10. Register of county orders, showing date, amount, purpose, and number of order, name of recipient, fund debited, and date of cancellation. Arr. by date of order. No index. Hdw. under pr. hdgs. 280 p. 18 x 13 x 1 1/2. West wash rm., 1st fl.

(10-15)

County Board - Disposition of Accounts

10. REGISTER OF COUNTY ORDERS AND JURY CERTIFICATES, 1847-1912. 4 v. Register of county orders and jury certificates, showing date, amount, number, and purpose of order, name of recipient, and date of cancellation. Record of County Orders, entry 9, kept separately prior to 1879 and subsequent to 1883. Arr. by date of order. No index. Hdw. under pr. hdgs. 280 p. 13 x 13 x 1 1/2. West wash rm., 1st fl.

Cancelled County Orders

11. COUNTY WARRANTS, 1872--. 36 v. Stub record of warrants issued against county funds, including those for death reports, 1874-78, 1904--; mothers' pensions, 1916-19; jurors, 1879-95; blind pensions, 1904-34; and relief, 1875-91, 1904--. These warrants show date, number, amount, and purpose of warrant, names of fund and recipient, and date of receipt. Arr. by warrant no. No index. Hdw. on pr. fm. 200 p. 17 x 12 x 1. 14 v., 1872-1916, attic; 11 v., 1917-28, west wash rm., 1st fl.; 11 v., 1929--, co. clk.'s east vlt., 1st fl.

12. JURORS' CERTIFICATES, 1872-78, 1896--. 11 v. Stub record of jurors' certificates, showing name of juror, number, date, and amount of certificate, number of days of service, mileage, date of court term, and signature of juror. Arr. by date of certificate. No index. Hdw. on pr. fm. 200 p. 18 x 13 x 1 1/2. 8 v., 1872-78, 1896-1922, attic; 3 v., 1923--, co. clk.'s east vlt., 1st fl.
For other warrants, see entry 11.

13. PAID COUNTY ORDERS (and Jury Certificates), 1919--. 13 f.b. (304-350 not consecutive). Missing: 1901-18. 1869-1900 in County Court Papers, Miscellaneous (County Clerk's File), entry 94.
Cancelled orders on county funds, showing date, amount, number, and purpose of order, name of fund drawn upon, and signature of recipient. Arr. by warrant no. No index. Hdw. and typed on pr. fm. 11 x 5 x 21. Co. clk.'s east vlt., 1st fl.

14. WARRANTS MOTHERS' PENSION FUND, 1920--. 10 v. Title varies: Mothers' Pension Warrants, 7 v., 1920-29; Relief Certificates Mothers' Pension Fund, 1 v., 1930-34.
Stub record of mothers' pension warrants, showing date, amount, and number of warrant, name of mother, and signature of recipient. Arr. by date of warrant. No index. Hdw. on pr. fm. 200 p. 17 x 12 x 1. 7 v., 1920-29, west wash rm., 1st fl.; 3 v., 1930--, co. clk.'s east vlt., 1st fl.
For prior warrants, see entry 11.

15. (Anticipation) CERTIFICATES, 1931--. 3 v. Stub record of anticipation certificates, showing date, number, amount, and purpose of certificate, and name and signature of recipient. Arr. by certificate no. No index. Hdw. on pr. fm. 200 p. 18 x 12 x 1. Co. clk.'s east vlt., 1st fl.

16. BLIND PENSION WARRANTS, 1935--. 1 v.

Stub record of warrants issued to blind pensioners, showing date, amount, and number of warrant, date of receipt, and name of recipient. Arr. by date of warrant. No index. Hdw. on pr. fm. 200 p. 18 x 12 x 1. Co. clk.'s east vlt., 1st fl.

For prior warrants, see entry 11.

17. MOTOR FUEL TAX ORDERS, 1931-36. 1 v.

Stub record of orders issued against motor fuel tax funds, showing date, number, amount, and purpose of order, date of receipt, and signature of recipient. Arr. by order no. No index. Hdw. on pr. fm. 200 p. 18 x 12 x 1 1/2. Co. clk.'s east vlt., 1st fl.

18. PAUPER WARRANTS, 1892-1903. 1 v.

Stub record of warrants issued for pauper relief, showing date, amount, number, and purpose of warrant, name of pensioner, date of receipt, and signature of recipient. Arr. by warrant no. No index. Hdw. on pr. fm. 200 p. 17 x 12 x 1 1/2. West wash rm., 1st fl.

For prior and subsequent warrants, see entry 11.

19. STATE-AID ORDERS, 1927-33. 1 f.b. 1934-- in County Highway Papers, entry 308.

State-aid orders allowed by board of supervisors, showing date, number, amount, and purpose of order, and name of recipient. Arr. by date of order. No index. Hdw. on pr. fm. 11 x 5 x 21. Co. clk.'s east vlt.; 1st fl.

20. DEATH CERTIFICATE WARRANTS, 1902-3. 1 v.

Stubs of warrants issued for death certificates, showing number, date, and amount of warrant, name of fund, date of receipt, and signature of recipient. Arr. by date of warrant. No index. Hdw. on pr. fm. 200 p. 18 x 12 x 1. Attic.

For prior and subsequent warrants, see entry 11.

21. SPARROW ORDERS, 1891-1901. 2 v. Missing: 1894.

Copies of county orders issued for killing sparrows, showing date, number, and amount of order, number of birds killed, and name of recipient. Arr. by order no. No index. Hdw. on pr. fm. 300 p. 17 x 12 x 1. Jurors' north rm., 2nd fl.

Pension Funds and Applications (See also entries 7, 11, 14, 16, 167, 278, 284)

22. RECORD OF APPLICANTS FOR RELIEF OF BLIND, 1916--. 1 v. (1).

Copies of applications for blind pensions, showing date and number of application, names and addresses of applicants and affiants, date of reference to and examiner's report, amount fixed by court, and date and amount of warrant. Also contains Examiners' Register Relief of Blind (Record). 1933--, entry 23. Arr. by date of application. Indexed alph. by name of applicant. Hdw. on pr. fm. 240 p. 18 x 12 x 1. Co. clk.'s east vlt., 1st fl.

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County Board - Manage-
ment of County Proper-
ties and Roads

23. EXAMINERS' REGISTER RELIEF OF BLIND (Record), 1916-32. 1 v.

1933— in Record of Applicants for Relief of Blind, entry 22.

Examiners' record of applications for blind pensions, showing names and addresses of applicant and two affiants, dates of application and return to county clerk, and date and result of examination. Arr. by date of application. Indexed alph. by name of applicant. Hdw. on pr. fm. 160 p. 14 x 3 x 1/2. Co. clk.'s east vlt., 1st fl.

Relief Fund (See also
entries 11, 18)

24. LEDGER, 1850-90, 3 v.

Record of accounts paid by county for pauper aid, showing names of creditor and debtor, and date, amount, and purpose of payment. Arr. by date of payment. No index. Hdw. 350 p. 13 1/2 x 9 1/2 x 1 1/2. Attic.

Management of County Properties and Roads
(See also entries 308, 309[ii, iii, v], 315)

Construction Plans
for County Buildings
and City Sewers

25. FRANKLIN COUNTY POOR FARM BUILDING, 1913-14. 6 plans.

Construction details for county poor farm building, showing detailed cross sections and dimensions, material specifications, and location and manner of placing materials. Architect, R. Z. Gill, Murphysboro, Illinois. Hand-drawn. 1/2 in. to 2 ft. 25 x 21. West wash rm., 1st fl.

26. PLANS AND PROFILES FOR SEWER DISTRICT NUMBER 1, CITY OF SESSER, ILLINOIS, 1924. 14 plans.

Construction plans of sewer district number 1, City of Sesser, showing profiles, elevation, dimensions of sewer tile, and date of installation. Engineers, McCarty and Elder, Marion, Illinois. Blueprint. 1 in. to 200 ft. 10 x 24. West wash rm., 1st fl.

27. PROFILE OF DRAINS, DOUGLAS STREET DISTRICT, WEST FRANKFORT, ILLINOIS, 1926. 2 plans.

Construction details for Douglas Street drains of West Frankfort, showing elevation, dimensions, location of catch basins, and date of installation. Hand-drawn and blueprint. 30 x 20. West wash rm., 1st fl.

Bond Issues

28. BOND REGISTER, 1916—. 1 v. (1).

Register of bonds issued by townships for construction and maintenance of roads, showing date, amount, and number of bond, township name, interest rate, and dates of maturity and cancellation. Arr. by date of bond. No index. Hdw. under pr. hdgs. 140 p. 12 x 16 x 1 1/2. Co. clk.'s east vlt., 1st fl.

29. HARD ROAD BONDS AND HIGH SCHOOL BONDS, 1918--. 1 f.b. (345). Resolutions of township officials and school boards for issuance of re-funding bonds, showing rate of interest, and date, number, and amount of bonds to be recalled. No obvious arr. No index. Hdw. 11 x 5 x 21. Co. clk.'s east vlt., 1st fl.

30. REGISTER OF SCHOOL DISTRICT BONDS, 1928--. 1 v. Register of school district bonds, showing name and number of school district, number, date, and amount of bond, dates of maturity and registration, rate, and date of interest payments. Arr. by date of bond. No index. Hdw. under pr. hdgs. 125 p. 16 x 11 x 1 1/2. Co. clk.'s east vlt., 1st fl.

31. REGISTER OF RAILROAD BONDS, 1849-81. 1 v. Register of bonds issued by Franklin County to the Belleville and Eldorado Railroad Company, showing number, date, and amount of bond, rate of interest, and dates of maturity and cancellation. Arr. by date of bond. No index. Hdw. 100 p. 8 x 12 x 1. Attic.

Insurance

32. (INSURANCE POLICIES), 1938--. In Probate Court Files, entry 172. Insurance policies on county property, showing name and address of insurance company, description of property insured, amount of policy, rate, and date of expiration. Arr. by date of filing. Hdw. and typed on pr. fm.

Reports to Board (See also entries 1, 2, 94[vii], 290)

33. AUDITING RECORD, 1902--. 26 v. Reports of auditors to board of supervisors, including minutes of meetings, showing names of chairman and members of board, dates, purpose, and amounts of receipts and expenditures, recapitulation of accounts, number and amount of county orders, balance available, and certification of auditors. Arr. by date of report. 1902-13, no index; 1914--, indexed alph. by title of fund. Hdw. on pr, fm. 30 - 495 p. 14 x 9 1/2 x 1/2 - 14 x 9 1/2 x 1 1/2. 1 v., 1902-13, west wash rm., 1st fl.; 25 v., 1914--, co. clk.'s east vlt., 1st fl.

34. COUNTY CLERK'S AUDITED REPORTS, 1931--. 19 v. 1843-1930 in County Court Papers, Miscellaneous (County Clerk's File), entry 94. County clerk's audited reports showing date, amount, and purpose of receipts and disbursements in various funds, amount of outstanding judgments, claims, county orders, and warrants, jury and coroner's certificates, total amount of outstanding indebtedness for each fund, balance available in various funds, total amounts of receipts, disbursements, and outstanding indebtedness, balance available, acknowledgment and signature of certified public accountant, and dates of filing and approval. Arr. alph. by title of fund. No index. Typed. 50 p. 11 x 9 x 1/2. Co. clk.'s east vlt., 1st fl.

(35)

County Board -
Jury Lists

Jury Lists

(See also entries 1, 2, 212, 247, 266)

35. REGISTER OF JURORS, 1872--. 2 v. (1, 2). Missing: 1919-21.

Title varies: Jury Lists, v. 1, 1872-1918.

Jury register showing name and address of juror, date of court term, days of service, and amount of fee. Arr. by date of court term. No index. 1872-1918, hdw. under pr. hdgs.; 1922--, hdw. and typed under pr. hdgs. 250 p. 16 x 11 x 2. Co. clk.'s west vlt., 1st fl.

II. COUNTY CLERK

Forerunners of the present county clerk of Franklin County were the clerk of the territorial county court, the clerk of "the Justices Court,"² the clerk of the county commissioners' court³ and the clerk of the county court.⁴ The first two mentioned were appointed by the territorial Governor.⁵ The county commissioners' court was the administrative body in Franklin County from 1819 to 1849.⁶

The Constitution of 1848 and laws of 1849 created a new judicial branch of county government presided over by the county judge and entitled the "county court," and provided for the quadrennial election of a "clerk of the county court."⁷ In addition to his duties as clerk of the judicial court, the incumbent was also to act as clerk of the administrative branch of government which consisted of the county judge and two justices of the peace.⁸

The last two of the above mentioned clerks performed the duties of county clerk as well as those of clerks of a judicial or administrative body. In fact, legislation frequently referred to those incumbents as "county clerks" when defining duties relating to county business as distinct from their duties in other capacities. The constitution of 1870 specifically provided for a county clerk,⁹ who has continued to act to the present in this capacity, and also as clerk of the county board¹⁰ and clerk of the county court.¹¹ The revised statutes of 1874 adopted the use of a distinction of titles for each of his ex officio capacities, applying the title "county clerk" only when referring to his duties as such.¹² It is the performance of these duties that gives rise to the records dealt with in this section.

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1. Nathaniel Pope, ed. Laws of the Territory of Illinois, II, 346,349.
 2. Laws of Illinois Territory, 1817-18, p. 91.
 3. L. 1819, p. 175.
 4. L. 1849, p. 65,66.
 5. Nathaniel Pope, ed. Laws of the Territory of Illinois, II, 346,349; Laws of Illinois Territory, 1817-18, p. 91.
 6. Const. 1818, Schedule, sec. 4; L. 1819, p. 175.
 7. Const. 1848, Art. V, sec. 16,18,19; L. 1849, p. 62,63.
 8. L. 1849, p. 65,66.
 9. Const. 1870, Art. VI, sec. 18 and Art. X, sec. 8.
 10. R.S. 1874, p. 322.
 11. Ibid., p. 260.
 12. Ibid., p. 260,322.

The clerk was an appointee of the county commissioners' court in Franklin County from 1819 to 1837.¹ In the latter year the office became elective for a four-year term;² a two-year term became effective in 1847.³ A bond of \$1,000 was required.⁴ The clerk of the county court served for a four-year term and was bonded in the sum of \$3,000.⁵

The Constitution of 1870 and the revised statutes of 1874, establishing the office of county clerk, provided for his election for a quadrennial term, and that the amount of his bond be set by the county board.⁶ The bond is entered upon the records of his office, and deposited with the clerk of the circuit court. He is required to take oath, and is commissioned by the Governor.⁷ The county seal is kept by the clerk and is used by him when required.

In general, the county clerk's performance of his functions results in records relating to the following: taxation, vital statistics, licenses, and bonds. Various officials and agencies having authority over these matters report to, or deposit records with, the county clerk who in this manner acts as coordinating factor in the execution of local and state affairs. In regard to other of these matters, the clerk is required to perform duties on his own behalf and retain the records resulting from such performance.

Illustrations of both of these procedures may be found by examining the various duties and records relating to taxation. The county clerk must procure all books and blanks used in the assessment and collection of taxes, and list in such books the lands and lots subject to taxation;⁸ they are then turned over to the supervisor of assessments⁹ who has the township assessors enter the valuations against each piece of property listed. The supervisor completes revisions and corrections upon complaint of property owners and returns the books in duplicate to the county clerk. Personal property assessments are handled in essentially the same manner. The board of review then makes adjustments on complaints and equalizes as-

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1. L. 1819, p. 175.
 2. L. 1837, p. 49.
 3. L. 1845, p. 28; effective in 1847.
 4. L. 1819, p. 176, 177; R.L. 1833, p. 143; R.S. 1846, p. 131.
 5. L. 1849, p. 63, 64.
 6. Const. 1870, Art. X, sec. 8; R.S. 1874, p. 321.
 7. R.S. 1874, p. 321.
 8. L. 1867, p. 106; L. 1871-72, p. 19, 20, 32; L. 1903, p. 297. During the period of the first constitution such books and lists were prepared by the auditor of public accounts and turned over to the clerk of the county commissioners' court (L. 1825, p. 173; R.L. 1827, p. 329; L. 1839, p. 3, 4; L. 1847, p. 79).
 9. The treasurer now acts as ex officio supervisor of assessments (L. 1898, p. 36-44).

County Clerk

assessments between districts, certifying corrections and revisions to the county clerk.¹ The county clerk then reports the entire assessment list to the State Tax Commission for equalization, the equalized list is afterwards used by the county clerk in ascertaining tax rates and extending taxes.²

The State Tax Commission also certifies to the county clerk the assessments on the capital stock of corporations and railroad and telegraph companies, it being the duty of the clerk to extend these taxes and retain the books after use by the collector.³

The books are next turned over to the county collector who, after collection, returns lists of collections, together with lists of uncollected real and personal property taxes.⁴ The county clerk attends all tax sales, prepares a list of all sales and issues duplicate reports thereof, records affidavits of purchases of property for taxes, and keeps a record known as the "tax judgment, sale, redemption, and forfeiture record."⁵

An extensive group of records of vital statistics is kept by the county clerk, including records relating to births and deaths, marriages, physicians, and midwives. The first legislation in regard to the keeping of vital statistics were included in the act for the establishment of medical societies.⁶ One section of this act made it the duty of every physician to keep a record of births, deaths, and diseases occurring within the vicinity of his practice, and to transmit such record to his medical society, whereupon the record was to be published in the newspapers. In 1842 it was provided that a parent could appear before the clerk of the county commissioners' court and make affidavit as to the birth of a child, and the eldest next of kin of a deceased person could similarly appear and make affidavit as to death.⁷ It is probable that the tenor of the above mentioned laws explains the fact that no birth or death records existed in Franklin County prior to 1877, the first law, 1819, requiring no public record to be kept, and that of 1842 providing that affidavits "may" be made. The act of 1877 creating the State Board of Health required that all births and deaths in the county be reported to the county clerk by the attending physicians or accoucheurs.⁸ Teeth were put into this and subsequent laws by providing penalties for noncompliance. In 1901 death certificates issued

1. L. 1898, p. 36-44.

2. L. 1919, p. 723.

3. L. 1871-72, p. 11,13,16; L. 1937, p. 1011,1012.

4. L. 1849, p. 124,125; L. 1871-72, p. 55; L. 1931, p. 759.

5. L. 1838, p. 3; L. 1871-72, p. 40; L. 1879, p. 250.

6. L. 1819, p. 233.

7. L. 1842-43, p. 210-12.

8. L. 1877, p. 209.

by physicians, midwives, or coroners were to be presented to town clerks who were the local registrars who issued burial permits and forwarded the certificates to the county clerk.¹ In 1903, certificates of death were to be turned over to the State Board of Health, which then delivered to the county clerk all certificates so received.² Later it was provided that the township clerks should annually deposit with the county clerk a complete set of the records of births, stillbirths, and deaths registered with them. The county clerk was charged with binding and indexing, or recording, and safekeeping of such records.³ From the earliest date, the legislation in regard to these matters provided that the clerk retain the abstracts and certificates, keep a record of births and deaths, maintain alphabetical indexes, and issue certified copies of certificates upon request. The clerk has also been required to prepare a register of all physicians and accoucheurs in the county.⁴

From 1819 the county clerk, or at that time clerk of the county commissioners' court, has been required to file marriage certificates and certificates of parents' consent to the marriage of minors.⁵ The clerk was also required to keep a separate register of marriages in addition to his file of certificates.⁶ Before 1877, persons desiring to marry were required to secure licenses from the county clerk only when they had not previously published such intention, but in that year the securing of a license was made mandatory.⁷ Although a record of applications for marriage licenses has been kept by the clerk of this county since 1880, an act of 1937 appears to be the first legislation requiring the maintenance of such a record.⁸ The same act provides that persons desiring to marry shall present to the county clerk a certificate setting forth that such persons are free from venereal diseases, such certificates to be filed with the application for license to marry.⁹ Indexes to marriage records have been kept in Franklin County since 1836.

The county clerk is charged with a number of duties relating to elections: preparing and issuing blank ballots,¹⁰ poll books,¹¹ and certificates of election,¹² keeping a record of registers of elections,¹³ petitions¹⁴

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1. L. 1901, p. 302, 323.
 2. L. 1903, p. 315, 316.
 3. L. 1915, p. 667.
 4. L. 1877, p. 209.
 5. L. 1819, p. 27; R.S. 1845, p. 354; R.S. 1874, p. 694.
 6. R.L. 1827, p. 269.
 7. L. 1877, p. 130.
 8. L. 1937, p. 909.
 9. Ibid., p. 910.
 10. L. 1891, p. 113; L. 1911, p. 311.
 11. L. 1871-72, p. 386.
 12. L. 1819, p. 96; L. 1821, p. 79; L. 1823, p. 64; L. 1885, p. 176.
 13. L. 1865, p. 59; L. 1871-72, p. 386.
 14. L. 1911, p. 310, 311; L. 1929, p. 422.

County Clerk

and marked ballots,¹ and tally sheets² and election returns which are transmitted to him by the judges of election.³ Abstracts of returns were formerly prepared by the clerk, but these are now originated by the election commissioners or judges of election and deposited with the clerk. Returned ballots are destroyed by the clerk six months after election, provided no contest in which the ballots are needed is in progress.⁴ In 1889, when returns of elections for school trustees were made to the county clerk, he was charged with furnishing to the county superintendent of schools a list of all such trustees.⁵ Now the clerk does not enter into the procedure, the school trustees canvassing the returns and certifying directly to the superintendent of schools.⁶

The bonds of a number of officials are required to be transmitted to the clerk for filing and entering in a book maintained for that purpose.⁷ Justices' of the peace and constables' oaths, bonds, and securities are approved by the clerk and entered in a separate book in accordance with statutory requirement. This book shows the date on which each justice of the peace and constable was sworn into office and the date of commission by the Governor. Resignations from these offices are made to the county clerk who enters such fact in the justices' and constables' records.⁸

The clerk is also charged with issuing licenses to taverns,⁹ ferries,¹⁰ et cetera, and keeping records of the same. Other recordations made are: records relating to estrays;¹¹ registers of professionals, including physicians,¹² midwives,¹³ dentists,¹⁴ chiropodists,¹⁵ and veterinarians;¹⁶ lists of town officers which are furnished annually by the town clerks;¹⁷ record of notarios public;¹⁸ and book of state civil service rules.¹⁹

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1. L. 1891, p. 118.
 2. L. 1885, p. 143.
 3. L. 1819, p. 86; L. 1821, p. 77; L. 1923, p. 64; L. 1871-72, p. 389.
 4. L. 1917, p. 444.
 5. L. 1889, p. 271, 322.
 6. L. 1909, p. 352.
 7. R.S. 1845, p. 396, 397; L. 1881, p. 237, 238; R.S. 1874, p. 325; L. 1895, p. 168.
 8. L. 1895, p. 136.
 9. L. 1819, p. 77-79; L. 1933-34, Second Sp. Sess., p. 64-66.
 10. R.L. 1827, p. 221; R.S. 1874, p. 530.
 11. L. 1819, p. 206, 207; R.S. 1874, p. 483.
 12. L. 1877, p. 209; L. 1899, p. 275; L. 1923, p. 441, 442.
 13. Ibid.
 14. L. 1881, p. 79; L. 1899, p. 273; L. 1909, p. 279; L. 1933, p. 711.
 15. L. 1899, p. 280; L. 1935, p. 995.
 16. L. 1917, p. 591.
 17. L. 1861, p. 226; R.S. 1874, p. 1077.
 18. L. 1871-72, p. 575; R.S. 1874, p. 721; L. 1875, p. 88.
 19. L. 1905, p. 115.

Referring to his list of town officers, the county clerk reports annually to the State Department of Public Health, the names and addresses of the supervisor, assessor, and clerk of each township, and the dates of the expiration of their terms of office.¹

Included in the provision that the county clerk be charged with the care and custody of all records, books, and papers appertaining to, and filed or deposited in, his office,² are those duties as clerk of the county board, wherein he is required to record the proceedings of the board and to file all their books, records, and accounts.³ Also included are his record-keeping duties as ex officio clerk of the county court, with its resulting duties in relation to probate matters.⁴ The clerk is also required to keep jury lists⁵ and a book in which he enters details as to orders upon the treasurer. He is further required to maintain alphabetical indexes of all records and papers in his office, and to supply copies of these records or papers to any person upon request and payment of the required fee.⁶

Taxation

(See also entries 1, 2, 141, 142, 268-277, 303, 304)

Lists of Taxable Property, Levies

36. CERTIFICATES OF TAXES LEVIED, 1919--. 4 f.b. (349, 3 not numbered). 1890-1918 in County Court Papers, Miscellaneous (County Clerk's File), entry 94.

Certificates of tax rates and levies for each township, showing amounts of tax levy and rate, amounts wanted and needed, purpose, equalized value of all property, and dates of instrument and filing. No obvious arr. No index. Hdw. on pr. fm. $11\frac{1}{2}$ x 5 x 18. Co. clk.'s east vlt., 1st fl.

37. DOCKET OF RATES AND TAX WANTED, 1883-89. 1 v.

Docket of rates and taxes wanted and levied, showing date, rate, and amount wanted by each township, purpose of tax, total value of property, equalized value, rate and amount of levy, and date of filing. No obvious arr. No index. Hdw. under pr. hdgs. 350 p. 17 x 14 x $1\frac{1}{2}$. Jurors' north rm., 2nd fl.

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1. L. 1923, p. 480.
 2. R.S. 1874, p. 322.
 3. L. 1861, p. 239; R.S. 1874, p. 322.
 4. Ibid., p. 260.
 5. Ibid., p. 630.
 6. Ibid., p. 321.

38. ASSESSOR'S BOOKS - FRANKLIN COUNTY (Real Estate and Personal Property), 1852--. 1114 v. (Franklin County, 1852-71, 24 v. Missing: 1860.

Barren Township, 1872--. 91 v.
Benton Township, 1872--. 91 v.
Browning Township, 1872--. 90 v. Missing: 1872.
Cave Township, 1872--. 91 v.
Denning Township, 1872--. 93 v. Missing: 1875.
Eastern Township, 1872--. 91 v.
Ewing Township, 1872--. 90 v. Missing: 1875.
Frankfort Township, 1872--. 91 v.
Goode Township, 1872--. 90 v. Missing: 1909.
Northern Township, 1872--. 91 v.
Six Mile Township, 1872--. 91 v.
Tyrone Township, 1872--. 90 v. Missing: 1874).

Assessor's lists of taxable real and personal property, showing name of owner, description of property, assessed and equalized values, tax spread, and total tax; includes record of dog taxes. Real estate arr. by sec., twp., and range nos.; personal property arr. alph. by name of owner. No index. 1852-71, hdw.; 1872--, hdw. under pr. hdgs. 50 - 100 p. 18 x 12 x 1-17 x 14 x $\frac{1}{2}$. 327 v., 1852-1920, attic; 346 v., 1872-1931, west wash rm., 1st fl.; 216 v., 1880-1933, east wash rm., 1st fl.; 225 v., 1914--, co. clk.'s east vlt., 1st fl.

39. RAILROAD TAX BOOK, 1879--. 4 v. (1 not numbered, 2, 3, 4).
Missing: 1890-1919.

Lists of railroad property assessments, showing name of company, legal description of real property, number of acres of right of way, miles of track, amount of rolling stock, value as listed by companies, and equalized value as fixed by county and state boards; includes telephone tax list, 1898-1924, and telegraph tax list, 1886-1924. Arr. alph. by name of railroad. No index. Hdw. on pr. fm. 300 p, 17 x 16 x $1\frac{1}{2}$. Co. clk.'s east vlt., 1st fl.

40. DUPLICATE ASSESSOR'S BOOKS, 1899-1931. 116 v. (Barren, Benton, Browning, Eastern, Frankfort, Goode, Six Mile, and Tyrone townships, 10 v. each; Cave, Denning, Ewing, and Northern townships, 9 v. each).

Duplicate lists of assessments on all taxable real and personal property, showing name of assessed person, location and description of property, valuation, tax spread, amount of assessment, and amount of dog tax. Real estate arr. by sec., twp., and range nos.; personal property arr. alph. by name of owner. No index. Hdw. under pr. hdgs. 40 p. 17 x 14 x $\frac{1}{2}$. 48 v., 1899-1914, jurors' west rm., 2nd fl.; 32 v., 1915-26, east wash rm., 1st fl.; 36 v., 1927-31, co. clk.'s west vlt., 1st fl.

41. ABSTRACT OF ASSESSMENTS AND TAXES, 1878--. 5 v. (1 not numbered, 2-5).

Statement of abstracts of property assessments and taxes levied, showing totals of columnar footings, date of statement, assessment books, itemized personal property taxes, assessed valuation, and grand summary of total tax. Also contains County Clerk's Statement of Taxes to Auditor, 1896--, entry 42. Arr. by date of statement. No index. Hdw. under pr. hdgs. 160 p. 17 x 14 x 1. Co. clk.'s east vlt., 1st fl.

42. COUNTY CLERK'S STATEMENT OF TAXES TO AUDITOR, 1879-95. 1 v.

1896-- in Abstract of Assessments and Taxes, entry 41.

Record of statements of assessments submitted to state auditor, showing class of property assessed, assessed and equalized valuation as fixed by county and state boards, tax spread, and total amount of tax. Arr. by year of tax levy. No index. Hdw. under pr. hdgs. 160 p. 18 x 12 x 1. Co. clk.'s west vlt., 1st fl.

43. (LANDS LISTED FOR TAXATION), 1847-55. 2 v.

Lists of taxable lands exempt from taxation, showing name of owner, date of sale, legal description, acreage, and location of land, and price per acre. Arr. by date of sale. No index. Hdw. under pr. hdgs. 300 p. 18 x 13 x 2 1/2. Co. clk.'s east vlt., 1st fl.

Collections, Abatement

44. COLLECTOR'S BOOKS, 1857--. 779 v. (Franklin County, 1857-71, 1875. 16 v.

Barren Township, 1872-74, 1876--. 63 v. Missing: 1880.

Benton Township, 1872-74, 1876--. 64 v.

Browning Township, 1872-74, 1876--. 64 v.

Cave Township, 1872-74, 1876--. 64 v.

Denning Township, 1872-74, 1876--. 64 v.

Eastern Township, 1872-74, 1876--. 64 v.

Ewing Township, 1872-74, 1876--. 64 v.

Frankfort Township, 1872-74, 1876--. 63 v. Missing: 1880.

Goode Township, 1872-74, 1876--. 64 v.

Northern Township, 1872-74, 1876--. 63 v. Missing: 1880.

Six Mile Township, 1872-74, 1876--. 63 v. Missing: 1924.

Tyrone Township, 1872-74, 1876--. 63 v. Missing: 1880).

Lists of tax collections made on all taxable real and personal property, showing name of person assessed, description of property, tax spread, date and amount of payment, and name of payee; includes record of dog tax collections, and abstract of footings. Real estate arr. by sec., twp., and range nos.; personal property arr. alph. by name of owner.

No index. Hdw. on pr. fm. 75 - 350 p. 18 x 16 x 1 -

16 x 11 x 2 1/2. 201 v., 1857-93, jurors' west rm., 2nd fl.; 81 v., 1894-99, east wash rm., 1st fl.; 95 v., 1900-1906, jurors' north rm., 2nd fl.; 129 v. 1907-16, west wash rm., 1st fl.; 273 v., 1917--, co. clk.'s west vlt., 1st fl.

45. BACK TAX RECORD, 1879-1929. 3 v. (1, 1, 2). Missing: 1885-1925.

Lists of back taxes on lands and town lots, showing legal description of property, name of owner, amounts of judgment, tax, and interest due, and date of tax levy. Arr. by date of tax levy. No index. Hdw. on pr. fm. 700 p. 18 x 21 x 3 1/2. V. 1, 1879-84, jurors' north rm., 2nd fl.; v. 1, 2, 1926-29, co. clk.'s west wash rm., 1st fl.

46. DELINQUENT TAX LISTS, 1885-1919. 386 v. (Barren, Benton, Browning, Cave, Denning, Eastern, Ewing, Frankfort, Goode, Northern, Six Mile, and Tyrone townships, 1885-1917, 32 v. each; Franklin County as a whole, 1918-19, v. 1, 2).
Missing: 1910.

List of delinquent taxes on real and personal property, showing name of person assessed, description of property, amount assessed, and total amounts due and paid. Real estate arr. by sec., typ., and range nos.; personal property arr. alph. by name of owner. No index. Hdw. on pr. fm. 25 p. 17 x 14 x 1/2. 384 v. not numbered, 1885-1917, jurors' west rm., 2nd fl.; v. 1, 2, 1918-19, treas.'s large vlt., 1st fl., Mercantile Bank Bldg.

47. ABATEMENT RECORD, 1909-14. 1 v. 1880-1908, 1915-- in Tax Judgment, Sale, Redemption and Forfeiture Record, entry 48.

List of tax abatements, showing date, name of owner, legal description of property, value, equalized value as fixed by state board, road and school district numbers, tax spread, total tax abatements, and remarks. Arr. by date of abatement. No index. Hdw. under pr. hdgs. 500 p. 18 x 13 x 2 1/2. West wash rm., 1st fl.

Judgment, Sale, Redemption,
Forfeiture

48. TAX JUDGMENT, SALE, REDEMPTION AND FORFEITURE RECORD, 1880--.
75 v. (15 not labeled, 1, 2, 1880-1924; 1, 2, 1923-24; 3 sets 1-4, 1-5, 1-4, 1-5, 1-6, 1924-31; 5, 1930-32; 4, 5, 1-5, 1-5, A1-A7, 1-4, 1932--).

Record of tax judgments, sales, redemptions, and forfeitures, showing names of owner, redeemer, or purchaser, legal description and value of property, amounts of taxes, costs, and penalties due, dates of judgment, sale, and redemption or deed, and certification by county clerk. Also contains Abatement Record, 1880-1908, 1915--, entry 47. Tax Judgment Record, entry 49, and Tax Sale and Redemption Record, entry 53, formerly kept separately. Arr. by date of judgment and alph. by name of party against whom judgment is entered. No index. Hdw. on pr. fm. 260 - 350 p. 14 x 18 x 2 1/2 - 18 x 13 x 3. 1 v., 1880-84, attic; 74 v., 1885-- , co. clk.'s west vlt., 1st fl.

49. TAX JUDGMENT RECORD, 1850-79. 3 v. (A, 1 not lettered, B).
Title varies: Judgments Against Lands for Taxes, v. A, 1 not lettered, 1850-64. 1880-- in Tax Judgment, Sale, Redemption and Forfeiture Record, entry 48.

Copies of real estate tax judgments, showing name and address of owner, legal description of property, valuation, tax spread, total taxes and costs due, and amount of payment. Also contains Affidavits for Tax Deeds (Record), 1867-72, entry 55. Arr. by date of judgment. No index. Hdw. on pr. fm. 160 - 350 p. 17 1/2 x 11 x 1 - 18 x 13 x 3. Attic.

(50-54)

County Clerk-
Taxation

50. TAX SALE CERTIFICATE OF PURCHASE, 1908--. 16 f.b. (21-349 not consecutive). 1883-1907 in County Court Papers, Miscellaneous (County Clerk's File), entry 94.

Tax sale certificates of purchase, showing number of certificate, names of owner and purchaser, legal description of property, total amount of taxes due, dates of sale and filing, and signatures of owner, county collector, and county clerk. No obvious arr. No index. Hdw. on pr. fm. 4 1/2 x 4 1/2 x 10 - 11 x 5 x 21. 12 f.b., 1908-19, co. clk.'s west vlt., 1st fl.; 4 f.b., 1920--, co. clk.'s east vlt., 1st fl.

51. SPECIAL TAX SALE (Notices), 1934--. 1 f.b. (339).

Notices to county collector for sale of lands forfeited to state for delinquent taxes, showing name of owner, legal description of property, amounts of taxes and costs, and dates of forfeiture and notice. Arr. by date of notice. No index. Hdw. on pr. fm. 11 x 5 x 21. Co. clk.'s east vlt., 1st fl.

52. TAX SALE CERTIFICATE OF PURCHASE (Record), 1883-1914. 1 v.

Copies of tax sale certificates of purchase, showing names of owner and purchaser, amounts of assessment, costs, and interest due, legal description of land, date and amount of sale, and date of filing. Arr. by date of sale. Indexed alph. by name of purchaser. Hdw. on pr. fm. 450 p. 18 x 13 x 2. Co. clk.'s east vlt., 1st fl.

53. TAX SALE AND REDEMPTION RECORD, 1845-79. 7 v. (A, 1845-66; 1, 1854-57; 1 not labeled, B, 1 not labeled, 1859-79; 2 not labeled, 1872-79). Title varies: Redemption, 1 v. not labeled, 1859-63; Forfeiture Record, 2 v. not labeled, 1872-79; Tax Sale, 1 v. not labeled, 1864-78. 1880-- in Tax Judgment, Sale, Redemption and Forfeiture Record, entry 48.

Record of tax sales, redemptions, and forfeitures, showing dates of forfeiture, and sale or redemption, number of acres offered and sold, legal description of property, names of owner, redeemer or purchaser, amounts of taxes and costs due, amount of payment, and remarks. Also contains Affidavits for Tax Deeds (Record), 1853-66, entry 55. Arr. by date of transaction. No index. 1845-66, hdw.; 1854-79, hdw. on pr. fm. 100 - 300 p. 13 x 8 1/2 x 1 1/2 - 18 x 12 x 1 1/2. V. A, 1845-66, 1, 1854-57, 1 not labeled, 1859-63, co. clk.'s east vlt., 1st fl.; 2 v. not labeled, 1872-79, co. clk.'s west vlt., 1st fl.; v. B, 1 not labeled, 1864-78, attic.

54. AFFIDAVITS FOR TAX DEEDS, 1868--. 6 f.b. (34, 178, 192, 317, 318, 330). 1841-67 in County Court Papers, Miscellaneous (County Clerk's File), entry 94.

Affidavits for tax deeds, showing date of sale, name of purchaser, consideration, legal description and location of property, and signatures of owner and county clerk. Arr. by date of sale. No index. Hdw. on pr. fm. 4 1/2 x 4 1/2 x 10 - 11 x 5 x 21. F.b. 34, 1868-87, co. clk.'s off., 1st fl.; f.b. 178, 192, 1888-1917, co. clk.'s west vlt., 1st fl.; f.b. 317, 318, 330, 1918--, co. clk.'s east vlt., 1st fl.

55. AFFIDAVITS FOR TAX DEEDS (Record), 1873--. 10 v. (A, B, 1873-91; C, 1884-91; D, 1889-1919; D, 1892-1930; B, 1913-21; E-G, 1921--; G, 1930-33). 1853-66 in Tax Sale and Redemption Record, entry 53; 1867-72 in Tax Judgment Record, entry 49.

Copies of affidavits for tax deeds and sale notices, showing date and place of sale, name of purchaser, legal description of property, total tax, interest, and costs, and signatures of treasurer and county clerk. Arr. by date of sale. Indexed alph. by name of affiant. Hdw., and hdw. on pr. fm. 600 p. 18 x 13 x 3. Co. clk.'s east vlt., 1st fl.

56. ORDERS TO COUNTY COLLECTOR (Register of Redemptions), 1880-82. 1 v.

Register of real estate redemptions, showing names of owner and redeemer, legal description of property, date and amount of redemption, and acknowledgment. Arr. by date of redemption. No index. Hdw. under pr. hdgs. 100 p. 6 x 11 1/2 x 1/2. Jurors' north rm., 2nd fl.

57. TAX RECEIPTS (Real and Personal Property), 1929--. 8 f.b.

Duplicate tax receipts for taxes paid on forfeited property, showing number, amount, and date of receipt, name of taxpayer, tax years, location and description of property, amounts of tax, interest, advertising costs, and other fees, total tax, date of payment, and signature of county clerk. Arr. by date of payment. No index. Hdw. on pr. fm. 9 x 5 1/2 x 2 1/2. Co. clk.'s east vlt., 1st fl.

58. PURCHASERS' ACCOUNT, 1891-1902. 1 v.

Lists of lands sold for taxes, showing names of owner and purchaser, legal description and location of property, amounts of taxes and costs, date and amount of sale, and date of certificate of purchase. Arr. by date of sale. Indexed alph. by name of purchaser. Hdw. under pr. hdgs. 375 p. 14 x 9 1/2 x 1 1/2. Jurors' north rm., 2nd fl.

Maps and Plats (See also entries
94[vi], 126-132, 297)

59. PLAT RECORD (of School Plats), 1870--. 4 v. (3 not lettered, B). Missing: 1875-80.

Record of township school plats used for taxation purposes, showing date, and boundaries and locations of school districts and school property. Arr. by date of plat. Indexed alph. by name of twp. Hdw. and hand-drawn on pr. fm. 239 p. 18 x 13 x 1 1/2. 1 v. not lettered, 1870-74, attic; 2 v. not lettered, 1881-1929, west wash rm., 1st fl.; v. E, 1930--, co. clk.'s east vlt., 1st fl.

Vital Statistics

Births (See also
entries 63, 29)

60. INDEX TO BIRTHS, 1877--. 4 v. (1-4).

Index to Birth Reports, entry 62, and Register of Births (Record), entry 63, showing certificate number, name, sex, and date and place of birth of child, names of parents, and book and page of entry. Arr. alph. by surname of child. 1877-1915, hdw. under pr. hdgs.; 1916--, typed under pr. hdgs. 400 - 600 p. 18 x 13 x 2 - 18 x 12 x 3. Co. clk.'s east vlt., 1st fl.

61. BIRTH CERTIFICATES AND DEATH CERTIFICATES, 1878-1915.

9 f.b. (1, 2, 71, 142, 145, 173, 182, 183, 203).

Birth certificates showing date, and number of certificate, name and sex of child, number of children born to mother, names of physician or midwife, and name, residence, color, age, birthplace, and occupation of parents; death certificates showing date and number of certificate, name, age, sex, color, marital status, occupation, and address of deceased, and names of physician, parents, undertaker, and cemetery. Birth Reports, entry 62, and Death and Stillbirth Reports, entry 64, subsequently kept separately in bound form. Arr. by certificate no. No index. Hdw. on pr. fm. 4 1/2 x 4 1/2 x 10. Co. clk.'s west vlt., 1st fl.

62. BIRTH REPORTS, 1916--. 21 v. (1-3, 18 not numbered).

1878-1915 kept in unbound form in Birth Certificates and Death Certificates, entry 61.

Certificates of birth, showing date of birth, name, sex, and birthplace of child; nativity, age, birthplace, residence, and occupation of parents and number of stillbirths and living children: type of treatments given child; certificate of attending physician, signature of registrar, and date of filing. Arr. alph. by name of child. For index, see entry 60. Hdw. on pr. fm. 1000 p. 8 x 9 x 4. Co. clk.'s east vlt., 1st fl.

63. REGISTER OF BIRTHS (Record), 1877-1915. 3 v. (1-3).

Birth record showing name, sex, date of birth and birthplace of child; name, age, color, nativity, birthplace, residence, and occupation of parents; names and addresses of medical attendant and registrar, and date of return. Arr. by date of return. For index, see entry 60. Hdw. on pr. fm. 320 p. 18 x 13 x 2 1/2. Co. clk.'s east vlt., 1st fl.

Deaths and Stillbirths (See also
entries 11, 20, 93, 289)

64. DEATH AND STILLBIRTH REPORTS, 1916--. 22 v. (16D-23D, 14 not numbered). 1878-1915 kept in unbound form in Birth Certificates and Death Certificates, entry 61.

Certificates of death, including coroner's death certificates, showing name, address, and occupation of deceased, date and place of birth, date and cause of death, place of burial, name of undertaker, signature of physicians, and date of filing; certificates of stillbirths, showing dates of birth, issue, and return of certificate, names of parents, medical attendant or accoucheur, undertaker, and registrar, places of birth and burial, residence of mother, period of uterogestation, sex, color, cause of stillbirth, and nativity of parents. Arr. alph. by name of deceased. No index. Hdw. and typed on pr. fm. 1000 p. 8 x 9 x 4. Co. clk.'s east vlt., 1st fl.

65. DEATH REGISTER (Record), 1877-1916. 2 v. (1, 1877-1912; 2, 1910-16). Title varies: Certificates of Death Records, v. 1, 1877-1912. Copies of death certificates, showing name, sex, color, age, occupation, marital status, and nativity of deceased, place and date of burial, date of return, date, place, and cause of death, and names and addresses of undertaker and physician returning certificate. Also contains Coroner's Certificate of Death Record, 1877-1909, entry 68. 1877-1909, arr. by date of return of certificate; 1910-16, arr. alph. by surname of deceased. For index, see entry 66. Hdw. on pr. fm. 400 p. 13 x 12 x 2. Co. clk.'s east vlt., 1st fl.

66. INDEX TO DEATHS, 1877-1916. 1 v.
Index to Death Register (Record), entry 65, showing name of deceased, and book and page of entry. Arr. alph. by name of deceased. Hdw. under pr. hdgs. 300 p. 18 x 12 x 1 1/2. Co. clk.'s east vlt., 1st fl.

67. RECORD OF STILLBIRTHS, 1878-1915. 1 v.
Record of stillbirths, showing place, date, and cause of stillbirth, name, color, and nativity of parents, residence of mother, sex of child, signatures and residences of medical attendant, registrar, and undertaker, and date and place of burial. Arr. alph. by surname of parents. No index. Hdw. on pr. fm. 285 p. 18 x 13 x 1 1/2. West wash rm., 1st fl.
For subsequent stillbirth reports, see entry 64.

68. CORONER'S CERTIFICATE OF DEATH RECORD, 1910-16. 1 v. 1877-1909 in Death Register (Record), entry 65.
Copies of coroner's death certificates, showing date, name, residence, and description of decedent, date, place, and cause of death, and names of informant and undertaker. Arr. by date of certificate. Indexed alph. by name of deceased. Hdw. on pr. fm. 300 p. 18 x 12 x 1 1/2. West wash rm., 1st fl.

For subsequent coroner's death certificates, see entry 64.

69. CEMETERY RECORD - SOLDIERS AND SAILORS, 1933--. 1 v. (1). Record of burials of deceased soldiers, sailors, marines, and nurses, showing name of decedent; date and place of burial, nature of military service, number of company, volunteer or regular, and lot and block number in cemetery. Arr. by date of burial. Indexed alph. by name of deceased. Hdw. under pr. hdgs. 296 p. 18 x 13 x 1 1/2. Co. clk.'s east vlt., 1st fl.

Marriages

70. (MARRIAGE AFFIDAVITS), 1937--. 1 f.b. Notices of applications for marriage licenses, and physician's and bacteriologist's certificates, showing date, names and addresses of bride and groom, and signatures of bride, groom, and county clerk. Arr. by date of application. No index. Hdw. and typed on pr. fm. 12 x 12 x 3. Co. clk.'s off., 1st fl.

71. APPLICATIONS FOR MARRIAGE LICENSE, 1880--. 47 v. (B, C, B, C, 1 not labeled, E-G, 2 not labeled, 1-37). Copies of marriage license applications, showing number of license, date of application, names, ages, race, and residence of bride and groom, names and residences of parents, and signatures of applicants and county clerk. Arr. by date of application. No index. Hdw. on pr. fm. 450 p. 16 x 12 x 2. V. B, C, B, C, 1 not labeled, E-G, 2 not labeled, 1-3, 1880-1908, attic; v. 4-25, 1909-29, west wash rm., 1st fl.; v. 26-36, 1930-36, co. clk.'s east vlt., 1st fl.; v. 37, 1937--, co. clk.'s off., 1st fl.

72. MARRIAGE LICENSE, 1850--. 48 f.b. (22-334 not consecutive). 1841-49 in County Court Papers, Miscellaneous (County Clerk's File, entry 94). Original marriage licenses showing names and addresses of bride and groom, personal and occupational particulars, name of officiating party, and dates of marriage and return of certificate. Arr. by date of return of certificate. No index. Hdw. on pr. fm. 4 1/2 x 4 1/2 x 10 - 11 x 5 x 21. 41 f.b., 1850-1923, co. clk.'s west vlt., 1st fl.; 7 f.b., 1924--, co. clk.'s east vlt., 1st fl.

73. INDEX TO MARRIAGES, MALE AND FEMALE, 1877--. 4 v. (1, 2, male; 1, 2, female). Index to Marriage Records (Register), entry 74, and Marriage Register (Record), entry 75, showing names of male and female, and book and page of entry. Arr. alph. by names of male and female. Hdw. under pr. hdgs. 400 p. 18 x 13 x 2. Co. clk.'s east vlt., 1st fl.

74. MARRIAGE RECORDS (Register), 1836--. 21 v. (4 not lettered, B-R). Title varies: Record Marriage License Adult, 4 v. not lettered, 1836-72. Register of marriages, showing dates of application and marriage, name, age, and residence of bride and groom, names of parents and party officiating at ceremony, and date of registration. Arr. by date of registration. Indexed alph. by name of male; for sep. index, 1877--, see entry 73. 1836-64, hdw.; 1866--, hdw. under pr. hdgs. 135 - 600 p. 12 x 8 x 1 - 18 x 13 x 3. Co. clk.'s east vlt., 1st fl.

75. MARRIAGE REGISTER (Record), 1877-1927. 6 v. (1-6).

Copies of marriage certificates showing name, age, residence, and relationship of bride and groom, names, ages, and residences of parents, place and date of marriage, signatures of person officiating and witnesses, and date of return. Arr. by date of return. For index, see entry 73. 1877-1907, hdw.; 1908-27, hdw. on pr. fm. 600 p. 18 x 13 x 3. Co. clk.'s east vlt., 1st fl.

Licenses and Registers

Register of Officers

76. REGISTER OF COMMISSIONS, 1857--. 3 v. (1-3).

Register of county and township officers, showing names of township, official, and sureties, amount of bond, qualifications, and date of election or commission. Arr. by date of election or commission. No index. Hdw. under pr. hdgs. 160 p. 13 x 11 x 2. Co. clk.'s off., 1st fl.

Professional Licenses
and Registers

77. RECORD OF PHYSICIANS' CERTIFICATES, 1877--. 3 v. (1-3).

Last entry 1937.

Copies of certificates issued to physicians, including veterinarians' certificates, 1905--, showing certificate number, name, college attended, and date of graduation, signatures of members of state board of health, director of registration and education, and county clerk, and date of filing. Arr. by date of filing. Indexed alph. by name of physician. Hdw. on pr. fm. 292 p. 18 x 12 x 1 1/2. Co. clk.'s east vlt., 1st fl.

For prior veterinarian certificates, see entry 82[iiii].

78. PHYSICIANS' AND ACCOUCHEURS' REGISTER, 1877--. 1 v.

Register of certificates of physicians, accoucheurs, chiropodists, and osteopaths, showing name, address, age and nativity of practitioner, date of registration, number of certificate, school of practice, number of years of practice, and date of filing. Arr. by date of filing. No index. Hdw. under pr. hdgs. 100 p. 18 x 12 x 1. Co. clk.'s east vlt., 1st fl.

79. DENTAL REGISTER, 1890--. 1 v.

Register of dentists' certificates, including architects' licenses, 1907--, showing license number, name, address, and nationality of dentist, class of certificate, school attended, years of practice, and date of registration. Arr. alph. by name of dentist. No index. Hdw. under pr. hdgs. 100 p. 18 x 12 x 1. Co. clk.'s east vlt., 1st fl.

For prior records of architects' licenses, see ontry 82[i].

80. OPTOMETRY REGISTER, 1916-20. 1 v. Subsequently kept by the
State Department of Registration and Education.

Copies of optometry certificates issued, showing name and address of optometrist, number, date, and classification of certificate, and date of registration. Arr. alph. by name of optometrist. No index. Hdw. on pr. fm. 200 p. 18 x 12 x 2. Co. clk.'s east vlt., 1st fl.

(81-85)

County Clerk - Licenses and Registers

81. REGISTER OF NURSES' CERTIFICATES, 1916-19. 1 v. Subsequently kept by the State Department of Registration and Education. Register of certificates issued to registered nurses, showing name and qualification of nurse, number of certificate, and dates of issue and filing. Arr. by date of filing. Indexed alph. by name of applicant. Typed. 296 p. 18 x 12 x 1. Co. clk.'s east vlt., 1st fl.

Miscellaneous Certificates

82. (MISCELLANEOUS CERTIFICATES), 1903-12. 1 v.
Copies of miscellaneous certificates, including:

- i. Architects' licenses, 1905-6, showing name and address of architect, provisions for practice of profession of architecture as issued and attested by the state board of examiners, signatures of president, secretary, and treasurer of board, date of filing for record, and signature of county clerk.
- ii. Stallion certificates, 1909-12, including renewals, 1911-12, showing name of owner, date and number of certificate, description of sire, year foaled, where bred, certification, and signature of state board of agriculture.
- iii. Veterinarians' certificates, 1903-4, showing name and address of veterinarian, period of practice, names of school and chairman of school from which graduated, signatures of examining board and witnesses, and date of filing.

No obvious arr. No index. Hdw. 200 p. 14 x 8 x 1 1/2. West wash rm., 1st fl.

Patents

83. PATENT RECORD, 1869-71. 1 v.
Copies of applications for patents, showing name of applicant, type of invention, amount of entry fee, names of secretary of interior and commissioner of patents, affidavit of patentee, and date of filing. Arr. by date of filing. Indexed alph. by name of applicant. Hdw. on pr. fm. 420 p. 18 x 13 x 2. Co. clk.'s west vlt., 1st fl.

Militia Roll (See also entry 119)

84. MILITIA ROLL RECORD, 1861-62. 1 v.
Register of persons enrolled for service in militia, showing name and age of soldier, and number and date of enrollment. Arr. by enrollment no. No index. Hdw. 125 p. 12 x 8 x 1. Attic.

Estrays

85. ESTRAY RECORD, 1855--. 3 v. (1 not lettered, B, 1855--; 1 not lettered, 1879-90). Last entry 1921.
Copies of stray notices, showing date, by whom found, description and appraised value of animal, by whom taken up, costs, signature of justice of peace, and date of filing. The volume for years 1879-90 is a collection of stray notices clipped from newspapers and pasted in volume. Arr. by date of filing. No index. Hdw. 100 p. 8 x 12 x 1. Attic.

County Clerk -
Elections;
Bonds of Officers

(86-90)

Dog Licenses (See also
entries 6, 94[viii])

86. DOG LICENSE RECORD, 1918-23. 1 v.

Register of dog license tags issued to owners not listed by town assessor, showing date, tag number, quantity, date of delivery to assessor, names and addresses of assessor and owner, and amount of fees. Arr. by date of issue. No index. Hdw. under pr. hdgs. 79 p. 10 1/2 x 16 x 1. Co. clk.'s west vlt., 1st fl.

Elections

(See also entries 2, 99[vi, xv])

87. POLL BOOKS AND TALLY SHEETS, 1936--. 175 v.

Election poll books showing name, address, and party affiliation of voter; tally sheets showing names of candidates, party, and office, number of votes cast for each candidate, and date of election; and abstract of votes cast at primary and general elections, showing names of office, candidate, township, town or village, precinct number, number of votes received by each candidate, total votes cast, and dates of election and filing. No obvious arr. No index. Hdw. under pr. hdgs. 30 p. 14 x 8 x 1/2. Co. clk.'s west vlt., 1st fl.

Bonds of Officers

(See also entries 94[ii], 99[iv], 116, 117, 307)

88. BOND RECORD, 1873--. 2 v. (A, B). 1838-72 in Supervisors' Record, entry 2.

Copies of official bonds of justices, constables, and police magistrates, showing name of principal, amount, date, and obligation of bond, names of sureties, officers, and witnesses, oath of officer, and acknowledgment. Arr. by date of bond. Indexed alph. by name of principal. Hdw. on pr. fm. 500 p. 18 x 13 x 2 1/2. Co. clk.'s east vlt., 1st fl.

89. GENERAL BOND RECORD, 1919--. 1 v. (1). 1839-1918 in Supervisors' Record, entry 2.

Copies of bonds of city commissioners, mayor, and deputy county collector, showing date, amount, and obligations of bond, names of officer, office, and sureties, and date of filing. Arr. by date of filing. Indexed alph. by name of principal. Hdw. on pr. fm. 300 p. 18 x 12 x 1 1/2. Co. clk.'s east vlt., 1st fl.

90. ASSESSORS' BONDS, 1899--. 1 v. (1).

Copies of township assessors' bonds, showing names of assessor, township, and sureties, amount and conditions of bond, and dates of approval and filing. Arr. by date of bond. Indexed alph. by name of assessor. Hdw. on pr. fm. 300 p. 18 x 12 x 1 1/2. Co. clk.'s east vlt., 1st fl.

(91-94)

County Clerk - Fees,
Receipts, Expenditures;
Miscellaneous Records

91. SUPERVISORS' BONDS, 1914--. 1 v. (1). 1838-1913 in Supervisors' Record, entry 2.

Copies of supervisors' bonds, showing names of supervisor and sureties, date, amount, and obligations of bond, date and place of election, and date of filing. Arr. by date of filing of bond. Indexed alph. by name of supervisor. Hdw. on pr. fm. 280 p. 18 x 12 x 1 1/2. Co. clk.'s east vlt., 1st fl.

Fees, Receipts and Expenditures

92. RECEIPTS AND EXPENDITURES, 1894--. 4 v. (3, 1894-1908; 3, 1904-20; 1 v. not numbered, 1, 1921--). Missing: 1925-29. Title varies: General Accounts, v. 3, 1894-1908; Day Book, 1 v. not numbered, 1921-24.

Record of receipts and expenditures, including a register of all office and witness fees received and disbursed, showing date, amount, and purpose of receipt or expenditure, name of recipient or payer, total amount of receipts and expenditures, and balance available. Arr. by date of receipt or expenditure. No index. 1894-1920, 1930--, hdw. under pr. hdgs.; 1921-24, hdw. 240 - 400 p. 16 x 7 1/2 x 1 1/2 - 17 x 15 x 2. V. 3, 1894-1908, v. 3, 1904-20, west wash rm., 1st fl.; 1 v. not numbered, v. 1, 1921-24, 1930--, co. clk.'s east vlt., 1st fl.

93. ACCOUNT BOOK BIRTHS AND DEATHS, 1901-16. 2 v. (1, 1).

County clerk's record of payments to registrars of births and deaths, showing name and address of registrar, date of report, number of births, deaths, and stillbirths reported, amount paid registrar, and date of certification. Arr. by date of report. No index. Hdw. on pr. fm. 330 p. 16 x 11 x 2. V. 1, 1901-3, west wash rm., 1st fl.; v. 1, 1904-16, co. clk.'s east vlt., 1st fl.

Miscellaneous Records

94. COUNTY COURT PAPERS, MISCELLANEOUS (County Clerk's File), 1841--. 43 cartons.

Miscellaneous papers kept by the county clerk, including:

- i. Applications for blind relief, 1903--, showing date and number of application, name, address, marital status, income, and age of applicant, and sworn statement of examiner of the blind.
- ii. Bonds of county officials, 1841-71, 1903-26, including county clerk, circuit clerk, county treasurer, sheriff, state's attorney, county judge, superintendent of schools, superintendent of highways, master in chancery, and coroner, showing date, amount, and obligations of bond, and names of principal and sureties.
- iii. Inheritance tax papers, 1916--, including entries of appearances, orders assessing tax, notices of appraisements, petition to determine tax, county clerk's certificate of transmitting copy of county court orders, information for contributing to dependency of children, and inheritance tax returns.

County Clerk -
Miscellaneous
Records

(94 cont.)

- iv. Instruments left with recorder and not called for, 1847--,
including land grants, deeds, chattel and real estate
mortgages, and certificates of purchase and sale.
- v. Petitions to incorporate villages, 1903-15, showing date,
names and addresses of petitioners, reasons for incorpor-
ation, and legal description of land.
- vi. Plats of school districts, 1841-70, showing boundaries
and legal description of property.
- vii. Reports of county officials, 1841-71, 1903-26, showing
date, name of official, amount and purpose of receipts
and disbursements, recapitulation of accounts, recom-
mendations for appropriation of next fiscal year, bal-
ance available in each fund, and certificate of official.
- viii. Sheep claims against county, 1903-26, showing name of
claimant, date, number, and amount of claim, number and
value of sheep killed, and date of payment from dog
license fund.

Also contains Supervisors' Papers, 1903-26, entry 1; Franklin County
Claims, 1892-1923, entry 4; Paid County Orders (and Jury Certificates),
1869-1900, entry 13; County Clerk's Audited Reports, 1843-1930, entry
34; Certificates of Taxes Levied, 1890-1918, entry 36; Tax Sale Certifi-
cate of Purchase, 1883-1907, entry 50; Affidavits for Tax Deeds, 1841-67,
entry 54; Marriage License, 1841-49, entry 72; Insane Papers, 1859-92,
entry 139; (Declarations of Intentions), 1841-1906, entry 169; and Tax
Schedules of Railroads, 1890-1917, entry 268. No obvious arr. No index.
Nature of recording varies. 12 x 12 x 18. West wash rm., 1st fl.

III. RECORDER

The recorder of Franklin County at the time of its organization was appointed by the territorial Governor.¹ When Illinois became a state this officer was appointed by the Governor with the advice and consent of the Senate.² His bond, set at \$1,500, was to be filed with the Secretary of State.³ In 1829 the amount of his bond was reduced to \$500.⁴ The office became elective in 1835 with a four-year term and the bond was subject to the approval of the county commissioners' court.⁵ A two-year term became effective in 1847.⁶ With the adoption of the second constitution the office of recorder was abolished, the duties of that office being delegated to the circuit court clerk in an ex-officio capacity.⁷ The present constitution reestablished the office of recorder in counties having a population of sixty thousand or more but continued the provision of the prior constitution for other counties.⁸ As the population of Franklin County never reached the minimum fixed by the constitution⁹ the circuit court clerk in this county has retained his ex officio duties as recorder. The amount of the recorder's bond was set at \$5,000 in 1872 and was to be approved by the county judge.¹⁰ This amount was raised in 1874 to \$10,000 for counties having the population of Franklin. A copy of the bond is entered upon the records of the county court.¹¹

Assistants and deputies are appointed by the recorder in a number as determined by rule of the circuit court and as entered upon the court record.¹² The compensation of the assistants and deputies is set by the county board.¹³ Written oaths of deputies are filed with the Secretary of State.¹⁴

In accordance with the duty of the recorder to record at length all written instruments, the following records are required to be kept:

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1. Nathaniel Pope, ed., Laws of the Territory of Illinois, I, 33.
 2. L. 1819, p. 19.
 3. Ibid.
 4. R.L. 1829, p. 117.
 5. L. 1935, p. 166.
 6. L. 1845, p. 23. Effective in 1847.
 7. Const. of 1848, Art. V, sec. 19; L. 1849, p. 64.
 8. Const. of 1870, Art. X, sec. 8; R.S. 1874, p. 833.
 9. According to the 1940 census the population of Franklin County is 53,137.
 10. L. 1871-72, p. 645.
 11. R.S. 1874, p. 833.
 12. Const. 1870, Art. X, sec. 9; R.S. 1874, p. 833.
 13. Const. 1870, Art. X, sec. 9.
 14. R.S. 1874, p. 833.

Recorder

1. An entry book in which data relating to date and order of receipt of instruments to be recorded or filed, and the names of parties and location of property, with a brief description of the premises, are entered. Each of such instruments is numbered by the recorder with the corresponding number of the entry. The entry book serves as a table of contents, with descriptive memoranda, for all instruments recorded at length or filed in the recorder's office.
2. Well-bound books for recording at length any instrument in writing entitled to be recorded, in the order of time of its reception. Separate books are allowed to be kept for the recording of different classes of instruments and two distinct series of document numbers may be used in recording documents received for recordation. One series preceded by the letter "B" is for the recordation of bills of sales of personal property, chattel mortgages, releases, extensions, and assignments thereof. The other series of document numbers is for all other instruments received for recordation.
3. Grantor and grantee indexes. In the grantor index are listed the names of the grantor in alphabetical order and the names of the grantees. The grantee index shows the names of the grantees in alphabetical order and the names of the grantors. Each index also shows the date of the instrument, time of receipt, kind of instrument, consideration, book and page of recordation, or the number under which it is filed and a brief description of the premises.
4. Indexes to each book of record in which are entered in alphabetical order, the names of each grantor and grantee and page on which the instrument is recorded. This series indexes instruments such as powers of attorney, chattel mortgages, and those recorded by corporations.
5. An index to recorded maps and plats, based on location of property, sometimes arranged by section, township, and range.
6. An abstract book, in effect indexing records by showing for each tract every conveyance or incumbrance recorded, its execution and filing date, and the book and page of its recordation. Series optional with county board.

7. A separate book to record certificates of honorable discharge from military, aviation, and naval service.¹

The recorder, in recording at length any instrument in writing, is permitted to make a handwritten or typewritten transcription, a photographic or photostatic reproduction, or use a combination of these methods.² In addition to the instruments received for recordation, the recorder is required, upon receipt, to file any mortgage, trust deed, or conveyance of personal property having the effect of a mortgage or lien upon such property which is endorsed with the words, "This instrument to be filed, but not recorded." The recorder marks such instruments "filed" and enters upon each the time of their receipt and files them in his office.³

Entry Books

95. ENTRY BOOKS, 1835--. 25 v. (A-Y).

Register of all instruments recorded, showing date of filing, number, type, and date of instrument, consideration, legal description of property, recorder's fees, and date and name of person receiving instrument. Arr. by date of filing. No index. Hdw. under pr. hdgs. 640 p. 18 x 13 x 3. Cir. clk.'s south vlt., 1st fl.

96. ENTRIES OF CONVEYANCES, LANDS, 1872-74. 1 v.

Register of land conveyances, showing names of grantor and grantee, type of instrument, description of land, and date of conveyance. Arr. alph. by name of twp. No index. Hdw. under pr. hdgs. 476 p. 18 x 13 x 2. Co. clk.'s east vlt., 1st fl.

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1. L. 1819, p. 8, 20, 21; R.L. 1829, p. 116, 117; L. 1847, p. 69; L. 1853 p. 394; L. 1867, p. 148; L. 1869, p. 2; L. 1871-72, p. 645, 646; L. 1873, p. 144; R.S. 1874, p. 834-46; L. 1917, p. 652; L. 1925, p. 521; L. 1933-34, Third Sp. Sess., p. 214.
 2. L. 1933-34, Third Sp. Sess., p. 214.
 3. L. 1925, p. 521; L. 1929, p. 592-94.

Instruments Recorded

General

97. INDEX TO DEEDS GRANTOR - GRANTEE, 1835--. 62 v. (A-G, grantor; A-G, grantee; H-Z, 1-21, grantor - grantee; 4 v. not labeled, grantor; 4 v. not labeled, grantee).

Index to Deed Record, entry 98; Quitclaim Deed Records, entry 102; Warranty Deeds, entry 103; Tax Deed Record, entry 104; Master's Deed Record, entry 105; Cemetery Deed Record, entry 106; Miscellaneous Deed Record, entry 107; Mortgage Record (Real Estate), entry 108; Release Records, entry 111; and Chattel Mortgage Record, entry 113, showing names of grantor and grantee, or mortgagor and mortgagee, type and date of instrument, consideration, legal description of property, date of filing, and book and page of entry. Arr. alph. by names of grantor and grantee, or mortgagor and mortgagee. Hdw. under pr. hdgs. 600 p. 18 x 13 x 3. Cir. clk.'s east vlt., 1st fl.

98. DEED RECORD, 1835--. 157 v. (1 not labeled, 1835-43; B-U, W-Z, 1-197 not consecutive, 1835--).

Copies of deeds, showing names of grantor and grantee, consideration, legal description of property, number and date of instrument, acknowledgment, and dates of filing and recordation. Volume B, 1835-43, is a transcription of the unlabeled volume from 1835-43. Also contains Quitclaim Deed Records, 1835-64, entry 102; Warranty Deeds, 1835-70, 1874-82, 1918--, entry 103; Tax Deed Record, 1835-72, entry 104; Master's Deed Record, 1869-75, entry 105; Cemetery Deed Record, 1835-1930, entry 106; Miscellaneous Deed Record, 1835-1900, 1911--, entry 107; Mortgage Record (Real Estate), 1835-61, entry 108; Release Records, 1835-69, entry 111; Chattel Mortgage Record, 1835-62, entry 113; and Surveyor's Record 1835-84, entry 128. Arr. by date of recordation. For index, see entry 97. 1835-64, hdw.; 1865-1929, hdw. on pr. fm.; 1930--, hdw. and typed on pr. fm. 600 p. 18 x 13 x 3. Cir. clk.'s east vlt., 1st fl.

99. MISCELLANEOUS RECORD, 1874--. 25 v. (A-Y).

Copies of miscellaneous instruments not conforming to printed forms, including:

- i. Affidavits, 1888--, including affidavits of heirships, showing name and age of affiant, names of notary and recorder, acknowledgment, location and description of property, and dates of filing and recording.
- ii. Articles of agreement, 1874--, showing date, names of contracting parties, acknowledgment, and dates of filing and recording.
- iii. Articles of incorporation, 1874--, showing name and address of firm, names of stockholders, date, place, and purpose of organization, and amount of capital stock with certificate of increase, and date of filing.
- iv. Bonds of officials, 1875--, showing date, amount, and obligations of bond, names of officials and sureties, and acknowledgment.
- v. Bills of sale, sheriff's, 1878--, showing names of plaintiff, purchaser, and sheriff, date, terms, and amount of sale, legal description of property, and acknowledgment,

- vi. Certificates of election, 1875--, including officers of churches, societies, and orders.
- vii. Certificates of payment of judgments, liens, and alimony, 1900--, showing names of plaintiff and defendant, number, date, amount, and nature of case, and names of recipient and recorder.
- viii. Certificates of redemption, master's, 1875-76, showing names of plaintiff, defendant, and redeemer, consideration, legal description of property, and date of filing.
- ix. Chattel mortgage extensions, 1875--, showing number, dates and terms of extension, names of mortgagor and mortgagee, description of property, consideration, and acknowledgment.
- x. Deeds, master's, 1883-1919, showing term date, names of judge, plaintiff, and defendant, dates of decree, purchase, and deed, legal description of property, and date of filing.
- xi. Letters of administration, foreign, 1878--, showing name of deceased, date of death, name and list of powers of administrator, dates of acknowledgment, filing, and recording, and signature of clerk.
- xii. Liens on property, personal, 1895--, showing date, number, amount, and terms of instrument, names of parties, acknowledgment, and dates of filing and recording.
- xiii. Powers of attorney, 1875--, showing names of assignor and assignee, power given, acknowledgment, and dates of filing and recording.
- xiv. Report of sale, master's, 1883-1919, showing names of plaintiff, defendant, and redeemer, consideration, legal description of property, and date of redemption.
- xv. Village organization, Benton, 1875--, including minutes of meetings of town trustees, showing date, names of board members present, motion to submit to voters the question of organizing village of Benton, date and place set for election, names of election judges and clerks, number of ballots cast for and against reorganization, signature of clerk of board, and acknowledgment.
- xvi. Wills, foreign, of nonresidents of Franklin County, 1875--, showing provisions of will, names of testators, witnesses, attorneys, and heirs, and date of recording.

Also contains Assignment Record, 1894--, entry 112; Will Record, 1923--, entry 118; Record of Appointment of Trustees, 1875-1921, entry 121; and Oil and Gas Lease Record, 1936-37, entry 122. Arr. by date of instrument. Indexed alph. by title of instrument; for sep. index, 1875--, see entry 100; for sep. index to corporation records, 1920--, see entry 101. 1875-1912, hdw.; 1913--, typed. 600 p. 18 x 13 x 3. Cir. clk.'s east vlt., 1st fl.

100. MISCELLANEOUS INDEX, 1875--. 4 v. (1-4).

Index to Miscellaneous Record, entry 99, showing names of parties, number and type of instrument, and book and page of entry. Arr. alph. by title of instrument. Hdw. on pr. fm. 500 p. 18 x 13 x 3. Cir. clk.'s east vlt., 1st fl.

Recorded

101. CORPORATION RECORD (Index), 1920--. 1 v. (1).

Index to articles of incorporation as recorded in Miscellaneous Record, entry 99, showing name of corporation, list of stockholders, certificates of increase of capital stock, date of organization, book and page of entry, and date of filing. Arr. alph. by name of corporation. Hdw. under pr. hdgs. 204 p. 18 x 13 x 3. Cir. clk.'s east vlt., 1st fl.

Deeds (See also

entries 94[iv], 99[x], 115[vi])

102. QUITCLAIM DEED RECORDS, 1865--. 21 v. (2, 4, 12, 20, 25, 31, 37, 43, 52, 64, 78, 82, 88, 99, 139, 154, 165, 175, 185, 190, 196). 1835-64 in Deed Record, entry 98.

Copies of quitclaim deeds, showing names of grantor and grantee, legal description of property, consideration, instrument number, acknowledgment, and dates of filing and recordation. Arr. by date of recordation. For index, see entry 97. 1865-1936, hdw. on pr. fm.; 1937--, typed on pr. fm. 600 p. 18 x 13 x 3. Cir. clk.'s east vlt., 1st fl.

103. WARRANTY DEEDS, 1871-73, 1883-1917. 38 v. (V, 14, 35, 36, 38, 40-42, 44, 45, 47-50, 53-56, 59-63, 66, 68, 79, 83-85, 90, 95, 97, 102-106, 200). 1835-70, 1874-82, 1918-- in Deed Record, entry 98.

Copies of warranty deeds, showing names of grantor and grantee, consideration, legal description of property, number and date of instrument, notarial acknowledgment, and date of recording. Arr. by date of recording. For index, see entry 97. Hdw., and hdw. on pr. fm. 600 p. 18 x 13 x 3. Cir. clk.'s east vlt., 1st fl.

104. TAX DEED RECORD, 1873--. 4 v. (5, 17, 121, 182). 1835-72 in Deed Record, entry 98.

Copies of tax deeds, showing names of county clerk and purchaser, legal description of property, and dates of sale, deed, filing, and recordation. Arr. by date of recordation. For index, see entry 97. Hdw. on pr. fm. 600 p. 18 x 13 x 3. Cir. clk.'s east vlt., 1st fl.

105. MASTER'S DEED RECORD, 1876--. 4 v. (A-D). 1869-75 in Deed Record, entry 98.

Copies of master's deeds, showing names of complainant, defendant, grantee, and master in chancery, dates of decree and sale, purchase price, legal description of property, number and date of instrument, acknowledgment, and dates of filing and recordation. Arr. by date of recordation. For index, see entry 97. Hdw. on pr. fm. 600 p. 18 x 13 x 3. Cir. clk.'s east vlt., 1st fl.

106. CEMETERY DEED RECORD, 1931--. 1 v. (180). 1835-1930 in Deed Record, entry 98.

Copies of deeds to cemetery lots, showing names of grantor and grantee, location of lot, consideration, number and date of instrument, acknowledgment and dates of filing and recording. Arr. by date of recordation. For index, see entry 97. Hdw. on pr. fm. 600 p. 18 x 13 x 3. Cir. clk.'s east vlt., 1st fl.

107. MISCELLANEOUS DEED RECORD, 1901-10. 3 v. (39, 46, 65). 1835-1900, 1911-- in Deed Record, entry 98.

Copies of various miscellaneous deeds not conforming to printing forms, showing date, number, and type of instrument, names of grantor and grantee, legal description of property, consideration, and date of recordation. Arr. by date of recordation. For index, see entry 97. Hdw. 600 p. 18 x 13 x 3. Cir. clk.'s east vlt., 1st fl.

Mortgages - Real Estate (See also entry 94[iv])

108. MORTGAGE RECORD (Real Estate), 1862--. 93 v. (A-Z, 1-67). 1835-61 in Deed Record, entry 98.

Copies of mortgages, including marginal releases and assignments, showing names of mortgagor and mortgagee, consideration, legal description of property, amount of mortgage, dates of instrument and recordation, and notarial acknowledgment. Arr. by date of recordation. For index, 1862-73, see entry 97; for index, 1874--, see entry 109; for index to marginal releases and assignments, 1905--, see entry 110. 1862-1902, hdw.; 1903-18, hdw. on pr. fm.; 1919--, typed. 600 p. 18 x 13 x 2 1/2. Cir. clk.'s east vlt., 1st fl.

109. GENERAL INDEX MORTGAGOR - MORTGAGEE, 1874--. 24 v. (C-L, 2 not lettered, 1874--, mortgagor; C-L, 2 not lettered, 1874--, Mortgagee).

Index to Mortgage Record (Real Estate), entry 108, showing names of mortgagor and mortgagee, number and date of instrument, legal description of property, book and page of entry, and date of filing. Arr. alph. by names of mortgagor and mortgagee. Hdw. under pr. hdgs. 620 p. 18 x 13 x 3. Cir. clk.'s east vlt., 1st fl.

110. MARGINAL RELEASE AND ASSIGNMENT INDEX, 1905--. 2 v. (1, 2).

Index to marginal releases and assignments in Mortgage Record (Real Estate), entry 108, showing names of mortgagor and assignor, date and by whom released or assigned, legal description of property, consideration, book and page of entry, and date of filing. Arr. alph. by name of mortgagor or assignor. Hdw. under pr. hdgs. 275 p. 13 x 8 x 1. Cir. clk.'s east vlt., 1st fl.

111. RELEASE RECORDS, 1870--. 33 v. (A-Z, 1-7). 1835-69 in Deed Record, entry 98.

Copies of mortgage releases, showing names of mortgagor and mortgagee, book and page of entry, and dates of instrument and releases, and notarial acknowledgment. Arr. by date of release. For index, see entry 97. 1870-1935, hdw. on pr. fm.; 1936--, typed. 638 p. 18 x 13 x 3. Cir. clk.'s east vlt., 1st fl.

112. ASSIGNMENT RECORD, 1881-93. 2 v. (A, B). 1894-- in Miscellaneous Record, entry 99.

Copies of real and personal property assignments, showing names of assignee, assignor, sureties, and circuit clerk, date, amount, and obligations of bond, itemized inventory of real and personal property, total value of estate, and bond and oath of assignee. Arr. by date of assignment. Indexed alph. by name of assignor. Hdw. 600 p. 18 x 13 x 3. Jurors' north rm., 2nd fl.

Mortgages - Chattel (See also entries 94[iv], 99[ix], 159)

113. CHATTEL MORTGAGE RECORD, 1863--. 99 v. (A-Z, 1-73). 1835-62 in Deed Record, entry 98.

Copies of chattel mortgages, showing names of mortgagor and mortgagee, description of property, consideration, dates of mortgage, filing, recordation, and acknowledgment; also contains record of liens on gets subsequent to 1881. Arr. by date of recordation. For index, 1863-84, see entry 97; for index, 1885--, see entry 114. 1863-1900, hdw., and hdw. on pr. fm.; 1901--, typed, and typed on pr. fm. 600 p. 18 x 13 x 3. V. A-Z, 1-19, 1863-1922, jurors' north rm., 2nd fl.; v. 20-73, 1923--, cir. clk.'s east vlt., 1st fl.

114. CHATTEL MORTGAGE INDEX, 1885--. 11 v. (1-11).

Index to Chattel Mortgage Record, entry 113, showing names of mortgagor and mortgagee, date of instrument, description of property, consideration, and book and page of entry. Arr. alph. by names of mortgagor and mortgagee. Hdw. under pr. lds. 620 p. 18 x 13 x 3. V. 1-5, 1885-1920, jurors' north rm., 2nd fl.; v. 6-11, 1921--, cir. clk.'s east vlt., 1st fl.

Certificates of Levy (See also entries 94[iv], 99[v,viii,xiv])

115. LEVY, SALE, AND REDEMPTION RECORD, 1860--. 4 v. (B-E).

Copies of levy, sale, and redemption certificates, including:

- i. Certificates of levy, sheriff's, 1860--, showing names plaintiff, defendant, and sheriff, date of court order of sale, legal description of property, and dates of levy and filing.
- ii. Certificates of redemption, master's, 1877--, showing names of plaintiff, defendant, and redeemer, consideration, legal description of property, and date of redemption.
- iii. Certificates of redemption, sheriff's 1861--, showing names of plaintiff, defendant, sheriff, and redeemer, and dates of certificate and filing.
- iv. Certificates of sale, master's, 1861--, showing names of plaintiff, defendant, master, and purchaser, date of sale, purchase price, legal description of property, signature of master, acknowledgment, and date of filing.
- v. Certificates of sale, sheriff's, 1860--, showing names of plaintiff, defendant, and sheriff, legal description of property, and dates of sale and filing.

- vi. Deeds, master in chancery, 1920--, showing term date, names of judge, plaintiff, and defendant, dates of decree, purchase, and deed, legal description of property, and date of filing.
- vii. Report of sale, master's, 1920--, showing dates of term and sale, names of plaintiff and defendant, legal description of property, signature of master, acknowledgment, and date of filing.

Arr. by date of filing. Indexed alph. by names of plaintiff and defendant.
Hdw. on pr. fm. 580 p. 18 x 12 x 2. Cir. clk.'s south vlt., 1st fl.

Bonds of Officers (See also
entries 2, 94[ii], 99[iv], 307)

116. COLLECTORS' BOND RECORD, 1872-1918. 2 v. (A, B).
Copies of town collectors' bonds, showing names of collector and sureties, date, amount, and obligations of bond, oath of collector, affidavit of sureties, and date of recordation. Arr. by date of recordation. Indexed alph. by name of collector. Hdw. on pr. fm. 550 p. 18 x 13 x 2 1/2.
Cir. clk.'s off., 1st fl.

117. TOWNSHIP TREASURERS' BOND, 1890-1918. 1 v.
Copies of township school treasurers' bonds, showing names of treasurer, township, school trustees, and sureties, date, amount, and obligations of bond, and dates of approval, filing, and recordation. Arr. by date of recordation. Indexed alph. by name of treas. Hdw. on pr. fm. 294 p. 13 x 10 x 1. Cir. clk.'s east vlt., 1st fl.

Other Instruments

118. WILL RECORD, 1835-1922. 1 v. 1923-- in Miscellaneous Record, entry 99.
Copies of wills, showing names of testator, heirs, and witnesses, stipulations, date and proof of will, and date of recordation. Arr. by date of recordation. Indexed alph. by name of testator. Hdw. 580 p. 18 x 13 x 3. Cir. clk.'s east vlt., 1st fl.

119. SOLDIERS' DISCHARGE (Record), 1865--. 4 v. (A, B, 1, 2).
Copies of soldiers' discharges, showing name, rank, birthplace, and age of soldier, reason, date, and place of discharge, service record, date and place of enlistment, name of commanding officer, and date of recordation. Arr. by date of recordation. Indexed alph. by name of soldier. 1865-1919, hdw. on pr. fm.; 1920--, hdw. and typed on pr. fm. 600 p. 18 x 13 x 2 1/2. Cir. clk.'s east vlt., 1st fl.

120. REGISTER OF FARM NAMES, 1916--. 1 v. (1). Last entry 1922.
Register of names of farms, showing name and legal description of farm, name of owner, and date of registration. Arr. by date of registration. Indexed alph. by name of farm. Hdw. under pr. hdgs. 320 p. 18 x 13 x 2. Cir. clk.'s east vlt., 1st fl.

121. RECORD OF APPOINTMENT OF TRUSTEES, 1922--. 1 v. (B). 1875-1921 in Miscellaneous Record, entry 99.

Copies of certificates of election of trustees and other officers of lodges, showing names of officers and office to which elected, date of election, length of term of office, names of secretary of organization and recorder, acknowledgment, and dates of recordation and filing. Arr. by date of recordation. Indexed alph. by name of organization. Hdw. on pr. fm. 300 p. 18 x 13 x 1 $\frac{1}{2}$. Cir. clk.'s east vlt., 1st fl.

122. OIL AND GAS LEASE RECORD, 1938--. 1 v. (A). 1936-37 in Miscellaneous Record, entry 99.

Copies of land leases for oil and gas rights, showing names of lessor and lessee, terms and date of lease, date of expiration, legal description of land, consideration, acknowledgment, and date of recordation. Arr. by date of recordation. Indexed alph. by name of lessor. Typed, and typed on pr. fm. 600 p. 18 x 12 x 3. Cir. clk.'s east vlt., 1st fl.

123. REGISTER OF STALLION CERTIFICATES (Record), 1911-18. 1 v. Certificates now registered by State Board of Agriculture, Division of Animal Industry, Springfield, Illinois.

Recordation of stallion licenses, showing name, description, certification of grade and pedigree of stallion, names of owner and veterinarian, dates of foaling, license, expiration of license, and filing, and signatures of secretaries of Illinois Department of Agriculture and stallion registration board. Arr. by date of recordation. Indexed alph. by name of owner. Hdw. on pr. fm. 200 p. 18 x 13 x 2. Cir. clk.'s east vlt., 1st fl.

For other stallion certificates, see entry 82[ii].

124. RENEWAL CERTIFICATE OF STALLION RECORD, 1911-18. 1 v. Certificates now registered by State Board of Agriculture, Division of Animal Industry, Springfield, Illinois.

Copies of renewals of stallion licenses issued by Illinois stallion registration board, showing license number, name and breed of horse, names of original and present owner, signatures of secretaries of Illinois Department of Agriculture and stallion registration board, and dates of license, filing, and recording. Arr. by certificate no. Indexed alph. by name of owner. Hdw. on pr. fm. 320 p. 18 x 13 x 1 $\frac{1}{2}$. Cir. clk.'s east vlt., 1st fl.

125. REGISTER OF RAILROAD BONDS, 1876-85. 1 v.

Register of bonds issued by local railroads, showing date, number, and amount of bonds, to whom issued, interest rate, and date due. Arr. by date of bond. No index. Hdw. 250 p. 16 x 10 $\frac{1}{2}$ x 1. Jurors' north rm., 2nd fl.

Maps and Plats

(See also entries 59, 94[vi], 297)

126. PLAT RECORD, 1880--. 5 v. (A-E). Last entry 1932.

Plats of cities, towns, villages, and additions, showing date, name and legal description of city, town, village or addition, location and names of streets, and lot and block numbers. Draftsman, county surveyor. Arr. by date of plat. Indexed alph. by name of addition; for sep. index, 1880--, see entry 127. Hand-drawn. 1 in. to 100 ft. 450 p. 18 1/2 x 16 x 2. Cir. clk.'s east vlt., 1st fl.

127. INDEX TO PLATS, 1880--. 1 v. (1). Last entry 1932.

Index to Plat Record, entry 126, showing names of village, town, city or addition, and book and page of entry. Arr. alph. by names of village, town, city, or addition. Hdw. under pr. hdgs. 300 p. 17 x 15 x 2 1/2. Cir. clk.'s east vlt., 1st fl.

128. SURVEYOR'S RECORD, 1885--. 2 v. (A, B). 1835-84 in Deed Record, entry 98.

Surveyor's records and plats showing date of survey, section, township, and range numbers, names of owner and surveyor, number of acres, surveyor's markings, and date of recordation. Published in Herrin, Illinois. Arr. by date of recordation. Indexed alph. by name of owner. Hdw. 600 p. 18 x 13 x 3. Cir. clk.'s east vlt., 1st fl.

129. MINE PLATS, 1904--. 13 f.b.

Plats of collieries, showing names of owner and mine, and description and location of workings. Arr. alph. by name of mine. 1904-5, no index; for index, 1906--, see entry 130. Blueprint. 1 in. to 200 ft. 18 x 18 x 20. Cir. clk.'s east vlt., 1st fl.

130. INDEX TO MINE PLATS, 1906--. 1 v. (1).

Index to Mine Plats, entry 129, showing name of company, location of mine, file number, date of filing, and by whom filed. Arr. alph. by name of company. Hdw. under pr. hdgs. 200 p. 18 x 13 x 1 1/2. Cir. clk.'s east vlt., 1st fl.

131. ROAD PLATS, 1922--. 2 v.

Plats of proposed state roads, showing date, location, legal description of right of way, and name of owner. Draftsman, L. Schwartz, Chief Engineer, Highway Department, Carbondale, Illinois. Arr. by date of plat. No index. Hand-drawn and blueprint. 1 in. to 22 ft. - 1 in. to 50 ft. 150 p. 24 1/2 x 24 1/2 x 2 1/2. Cir. clk.'s east vlt., 1st fl.

132. (GOVERNMENT PLAT BOOK), 1872. 1 v.

Plats of government surveys, showing numbers of township line, range, principal meridian, and exterior, interior, and quarter sections, describing corners, witness trees, diameter, courses, links distant, and field notes. Arr. by twp. no. No index. Hand-drawn. 1 in. to 40 chains. 50 p. 18 x 15 x 1. Cir. clk.'s east vlt., 1st fl.

Recorder - Receipts
and Expenditures

(133)

Receipts and Expenditures

133. (REGISTER OF RECORDER'S RECEIPTS AND EXPENDITURES), 1873--.

In Cash Book (Register), entry 258.

Register of receipts and expenditures of recorder's office, showing date, amount, and purpose of receipts and expenditures, names of recipient and payer, entry book and page number, total amount of receipts and expenditures, and balance. Arr. by date of receipt or expenditure. Hdw. under pr. hdgs.

IV. COUNTY COURT

The county court serves as the judicial branch of county government. This court is administered by the county judge who is elected for a four-year term by the county electorate. Before entering upon the duties of his office, the county judge is required to take and subscribe to an oath which he files with the Secretary of State. The compensation of the Franklin county judge was originally set at \$2.50 per diem for holding court, which was paid quarterly out of the county treasury.¹ Today, the judge in this county receives \$5,000 per annum.² The court hears and determines matters in which it has original or concurrent jurisdiction, including appeals from the justices of the peace and police magistrates.³

At the time of the creation of Franklin County in January, 1818, the powers of the judiciary in all counties were vested in the justices of the peace,⁴ the territorial county courts,⁵ and the territorial circuit courts.⁶ From 1819 to 1849 the judicial powers were administered by the justices of the peace,⁷ the probate judge,⁸ the probate justice of the peace,⁹ and the circuit court.¹⁰ However, in 1849 a court with civil and criminal jurisdiction coextensive with the county lines was established.¹¹ The court created was the county court. This unit of county government was established with a partial reversion to the dual function, administrative and judicial, of the local judiciary in Illinois under the Territorial Laws prior to 1818. The court was different from the territorial courts in that its composition varied for each of the two functions. The judicial court was administered by the county judge, who was elected by the county electorate and commissioned by the Governor. His original four-year tenure of office has remained effective to the present.¹² As the administrative body, the court was made up of the county judge and two justices of the peace.¹³

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1. L. 1849, p. 62,63.
 2. L. 1938, First Sp. Sess., p. 30.
 3. L. 1881, p. 70.
 4. Theodore C. Pease, ed., Laws of the Northwest Territory 1788-1800, Law Series I, in Illinois Historical Collections, XVII, 297.
 5. Nathaniel Pope, ed., Laws of the Territory of Illinois, II, 346,349.
 6. Ibid., p. 333-43.
 7. Const. 1818, Art. IV, sec. 8; L. 1819, p. 192.
 8. L. 1821, p. 119.
 9. L. 1836-37, p. 176.
 10. L. 1819, p. 380.
 11. Const. 1848, Art. V, sec. 1, 16; L. 1849, p. 62.
 12. Const. 1848, Art. V, sec. 17; L. 1849, p. 62,66; R.S., 1874, p. 339; L. 1933, p. 451.
 13. L. 1849, p. 65.

County Court

Under the second constitution complete separation of county business powers from the judicial court could be had with the acceptance by the county electorate of an independent administrative body, the board of supervisors, established under township organization.¹ This plan of government was not selected immediately, and Franklin was governed by the dual county court until 1872 when the board of supervisors became successor to the county court in its jurisdiction over county affairs and business. From that date on, the county court has served only as a judicial court in Franklin County.

The county court as established in 1849 was vested with the same civil and criminal jurisdiction as the justices of the peace. The county judge was made a conservator of the peace. He was given the same power and authority as the circuit judge in preserving order in the court and punishing contempts offered the court while in session.² Suits for the sale of delinquent lands for taxes of 1848, and prior years, could be brought and presented in either the circuit or county court, but for taxes of subsequent years, the county court was given exclusive original jurisdiction.³ The court also exercised jurisdiction equal with that of the circuit court over naturalization.⁴

In addition to its civil and criminal jurisdiction, the court was vested with all the powers and jurisdiction in probate matters which were vested prior to this date in the court of the probate justice. The court was given concurrent jurisdiction with the circuit court in hearing and determining applications for the sale of real estate of deceased persons and for the payments of debts of the estate.⁵ In Franklin County the county judge has served to the present day in his ex officio capacity as judge of the probate court.⁶

The law jurisdiction of the county court in Franklin County is concurrent with that of the circuit court in that class of cases wherein the justices of the peace have jurisdiction where the value of the amount in controversy does not exceed \$2,000, in all cases of appeals from justices

1. Const. 1848, Art. VII, sec. 6; L. 1849, p. 192,202-4; L. 1851, p. 38,50-52.

2. L. 1849, p. 65.

3. Ibid., p. 126.

4. 2 U.S.Stat. 155.

5. L. 1849, p. 65.

6. Const. 1848, Art. V, sec. 16,18; L. 1849, p. 65; Const. 1870, Art. VI, sec. 18; R.S. 1874, p. 339,340; L. 1933, p. 449,458.

7. Under the laws of 1872 and the revised statutes of 1874, the jurisdiction was in cases wherein the amount involved did not exceed \$500 (L. 1871-72, p. 325; R.S. 1874, p. 339,340). Legislation enacted in 1933 extended the jurisdiction to \$2,000 (L. 1933, p. 452), but a later amendment of the same session, passed June 21, 1933, placed the jurisdiction in cases where the amount involved is not over \$1,000 (ibid., p. 449). In 1939 jurisdiction was again extended to \$2,000 (L. 1839, p. 492).

of the peace and police magistrates, and in all criminal offenses and misdemeanors where the punishment is not imprisonment in the penitentiary or death.¹ The county court also has original jurisdiction in matters relating to indigent mothers,² and jurisdiction over insane persons not charged with crime.³

The county and circuit courts have original jurisdiction in cases of juvenile offenders. This jurisdiction is over matters dealing with dependent, neglected, and delinquent children. The authority includes provision for the treatment, control, maintenance, adoption, and guardianship of such children.⁴

In 1899, provision was made for the appointment by the court of a juvenile probation officer to serve without compensation from the public treasury and at the pleasure of the court.⁵ In 1907 an amendment to this act authorized the court to allow compensation to such officer in a sum to be set by the county board, but the power of the court to appoint probation officers to serve without pay was in no way abridged by this legislation.⁶ An amendment of 1925 provided that if more than one probation officer were appointed one was to be designated as chief probation officer. To be eligible for the position of chief probation officer, the candidate was required to have had experience in social welfare work equivalent to one year spent in active practical welfare work. Minimum rates, based upon population, were established for the compensation of these officers, the county board to fix the amount. Where a county had only one probation officer, the salary rates were made to apply to that individual. The court, however, retains the power to appoint probation officers to serve without pay.⁷ For Franklin County, and others with a population of more than fifty thousand and not exceeding one hundred thousand, the rate is set at a sum not less than \$150 a month.⁸

The officer under consideration makes investigation on order of the court and takes charge of the child before and after trial. He is required to be present at the court hearings in order that he may represent the interest of the child. This officer also furnishes information and assistance as required by the court.⁹

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1. R.S. 1874, p. 340; L. 1877, p. 77; L. 1895, p. 212, 223; L. 1933, p. 440-51.
 2. L. 1913, p. 127; L. 1915, p. 243; L. 1921, p. 162-64; L. 1935, p. 256-59.
 3. L. 1869, p. 366; R.S. 1874, p. 685.
 4. L. 1899, p. 131-37; L. 1901, p. 141-44; L. 1905, p. 152-56; L. 1907, p. 70-78.
 5. L. 1899, p. 133.
 6. L. 1907, p. 69, 70.
 7. L. 1925, p. 187, 188.
 8. Ibid., p. 187.
 9. L. 1899, p. 133; L. 1925, p. 187, 188.

County Court

Upon petition filed with the clerk of the court for the removal of a neglected or dependent child from the custody of its parents or guardian, process is issued for appearance. The summons may be served by the sheriff or the duly appointed probation officer.¹

Any time after the filing of the petition and pending the final disposition, the court may allow the child to remain in the possession of its custodian, or in its home subject to the visitation of the probation officer; or the child may be ordered into the custody of the probation officer.² If upon hearing the case the court finds the child to be dependent or neglected, the court may commit the child to an association or institution, or allow the child to remain in his home subject to the visitation of the probation officer.³ In a similar fashion the probation officer for adults, an appointee of the circuit court, assists the county court in the administration of justice among adult violators.⁴

In cases of delinquency, if the court finds any child to be delinquent, the court may commit the child to an institution or to the custody of the probation officer. The court may upon its discretion, send juvenile offenders and vagrants to the state reform school rather than to the county jail.⁵

Another probation officer, an appointee of the county court, assists the court in mothers' pension cases. The state and county funds for indigent mothers and their children are administered by the county court, its appointed probation officers, the county board with the assistance of the county clerk, the county treasurer, and the State Department of Public Welfare.⁶ The county court, however, is given original jurisdiction in these matters.⁶

A mother whose husband is dead or incapacitated, or who is abandoned by her husband, is entitled to the benefits of the mothers' pension fund when she is in need. Such mother may file an application with the county court for relief. The case of the applicant is then investigated by the probation officer under the direction of the court.⁷ A report and recommendation of the approval or disapproval of such application is then made by this officer of the court. If the application is approved, the probation officer or other person may file with the clerk of the court a written petition verified by affidavit setting forth the facts giving

1. L. 1899, p. 132,133; L. 1905, p. 153,154; L. 1907, p. 72,73.

2. Ibid., p. 74.

3. L. 1923, p. 180,181.

4. L. 1917, p. 280-82.

5. L. 1907, p. 75.

6. L. 1913, p. 127-30; L. 1915, p. 243-45; L. 1921, p. 162-64; L. 1935, p. 256-69.

7. L. 1913, p. 127-30; L. 1915, p. 244; L. 1935, p. 256-59.

the court jurisdiction and other facts, upon which an order for relief is entered. Upon receipt of the petition, a summons is issued to the mother and the county board for appearance. The usual procedure is for the board to make a written appearance. Upon the hearing in court, the court may make an order upon the county board to pay monthly such money as may be necessary for the care of the mother and her child or children in accordance with the provisions of law.¹

To carry out this procedure, the county court appoints the probation officer who serves during the pleasure of the court and is compensated for his services by the county in such amount as determined by the county board. As noted above, this officer is required to investigate all applications for relief and make a written report to the court. In addition to this duty, the probation officer makes quarterly visits and supervises, under the direction of the court, the families to which such assistance has been granted.²

The county board annually levies a tax on all taxable property to provide for the mothers' pension fund. The levy is made not in excess of two-fifths of one mill on a dollar in Franklin County.³ In addition, the General Assembly, from time to time, makes appropriations to the State Department of Public Welfare; funds then in turn, are distributed to the several counties to supplement the pension fund. To become entitled to the state appropriations, the county must meet the standards of administration set by the state agency. The county treasurer certifies to the state department an itemized statement, attested by the county clerk, of the money paid out during each quarter in accordance with the legislative provisions for this pension and also certifies annually the total assessed valuation and amount of money raised by tax levy for the mothers' pension fund.⁴

Jurisdiction in the election procedure is vested variously in the county board, the county court, and the court clerk. In the event that any city, village, or incorporated town adopts the city Election Act the county judge appoints a board of three election commissioners to have charge of election in that political unit. Only one such board however, is appointed in each county. This board has jurisdiction over elections in all cities, villages, and incorporated towns which may adopt the act.⁵

1. L. 1913, p. 127-30; L. 1935, p. 257-59.

2. L. 1913, p. 129,130; L. 1935, p. 258.

3. L. 1919, p. 780,781; L. 1927, p. 196,197; L. 1928, First Sp. Sess., p. 3,4; L. 1933, p. 194,195.

4. L. 1935, p. 259.

5. L. 1885, p. 147-49; L. 1899, p. 163-65; L. 1917, p. 445,446; L. 1929, p. 339; L. 1933, p. 834; L. 1935-36, Fourth Sp. Sess., p. 35.

County Court

Otherwise, jurisdiction is vested in the county board, county court, and county clerk. The county court has original jurisdiction in election contests for certain county, district, and township offices.¹

Aiding in the settlement of questions arising in the course of the election procedure is the county officers electoral board. This body consists of the county judge as chairman, the county clerk, and the state's attorney.²

The several nomination papers for county offices are filed with the county clerk and are considered valid unless objections are made within five days after the last day for filing such papers. Objections to nominations are made to the county officers electoral board for any office of the county, park district, or other division coterminous with or less than the county and other than a city, village, incorporated town, or township.³ The objector's petition is filed with the county clerk who presents the same, together with the nomination papers or certificate, before the electoral board.⁴ The petition contains the objector's name and residence, the nature of the objection, the interest of the objector, and the relief sought of the board.⁵ A notice of the hearing is sent to the candidate. Upon hearing the objections, the board renders a final decision by majority vote. In the event the candidate whose nomination is protested is a member of the electoral board, the circuit judge is required to fill his place.⁶

Jurisdiction is vested in the county court to hear and determine all questions relative to taxes on gifts, legacies and inheritance.⁷ The act granting this jurisdiction is generally known as the "Inheritance Tax Law." Originally, the state's attorney was charged with the duty of enforcing the provisions of this law,⁸ however, since 1913 these duties have been performed by the Attorney General.⁹ Under that law the county judge and the county clerk are each required every three months to make a statement in writing to the county treasurer of the property from which, or the person from whom, he has reason to believe a tax under this act is due and unpaid.¹⁰ The county treasurer is required to collect and pay to the State Treasurer all taxes that may be due and payable under it.¹¹

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1. L. 1871-72, p. 396.
 2. L. 1891, p. 110,111; L. 1933, p. 552.
 3. L. 1891, p. 110,111; L. 1929, p. 394.
 4. L. 1891, p. 111; L. 1929, p. 394; L. 1933, p. 552.
 5. L. 1929, p. 394,395.
 6. L. 1933, p. 552.
 7. L. 1895, p. 306; L. 1909, p. 318.
 8. L. 1895, p. 306; L. 1909, p. 319.
 9. L. 1913, p. 615,616; L. 1935, p. 1179,1180.
 10. L. 1895, p. 306; L. 1909, p. 319; L. 1913, p. 516.
 11. L. 1895, p. 307; L. 1909, p. 319; L. 1913, p. 516.

Under an act of 1933, housing corporations may be organized in Illinois for the express purpose of improving housing conditions.¹ Such corporations are subject to the supervision and control of the State Housing Board. This state agency has authority, after investigations and public hearings, to approve the acquisitions of property and construction of housing projects. If the State Housing Board approves a project over the objections of ten percent of the property owners within a mile, but not included in the project, it must then file an application with the clerk of the county court to be submitted to the county judge for the confirmation of the court's approval. Such application is to contain copies of the findings and order of the board, transcript of testimony, description of the project and public spaces, statement of location, and reasons for approval by the board. The objectors to the project may file objections in the county court to the confirmation of such a project. The county judge then examines the application, objections, and any additional evidence before rendering a decision of "approved" or "not approved" on the applications.²

Appeals from the judgments and decisions of the county court may be taken to the circuit court.³ To the Appellate Court or Supreme Court may be taken and prosecuted appeals and writs of error in proceedings for the sale of lands for taxes and special assessments, in all common law and attachment cases, and in cases of forcible detainer and forcible entry and detainer. Such appeals and writs of error are, when not otherwise provided, taken and prosecuted in the same manner as appeals and writs of error from the circuit court.⁴

The records of the county court are kept by its clerk. In Franklin County the clerk is ex officio clerk of the county court. In addition to the keeping of statutory records as described below, the clerk necessarily maintains others in effecting the court's orders.⁵

For the court the clerk keeps the following records:

1. Books of record of the proceedings and judgments of the court with alphabetical indexes by names of parties. Proceedings are recorded at length only in cases designated by law or when the court, at the motion and assumption of expenses by one of the parties, so orders. In practice, the court record has been broken down from an early date into segregated types of proceedings and judgments.

1. L. 1933, p. 396-415; L. 1933-34, Third Sp. Sess., p. 167-74.

2. Ibid.

3. L. 1933, p. 396.

4. R.S. 1874, p. 339; L. 1877, p. 77; L. 1881, p. 66.

5. The form which such records take is generally determined by court order (L. 1849, p. 65; R.S. 1874, p. 262, 263).

County Court

2. "Plaintiff-Defendant Index to Court Records" and "Defendant-Plaintiff Index to Court Records," intended to be separate records, but frequently combined in a single volume with the two indexes segregated in each volume.
3. A general docket in which all suits are entered in the order they are commenced.
4. A judgment and execution docket containing a column for the entry of satisfaction or other disposition. In practice, an execution docket is frequently set up independently.
5. Additional dockets, designated as the clerk's, judge's and bar docket. In practice, the bar docket has tended to drop out of use.¹
6. A fee book in which costs and fees are to be entered under the proper title of the cause. In practice, separate series of volumes are maintained under these titles of causes.
7. Transcripts of proceedings in appeals from justices' courts, dockets thereof, and transcripts of judgment for liens, etc., from justices' courts.
8. Naturalization records including petitions, proceedings, final certificates, etc. The county courts in Illinois prior to 1906 met the requirement of Federal statutes to exercise naturalization jurisdiction.²
9. Original documents used in court hearings and determinations; of particular importance in the large number of cases where complete proceedings are not spread on court record.³
10. Monthly report of the warden of the county jail containing a list of all prisoners in his custody and showing the cause of commitment and names of persons by whom committed.⁴

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1. The Civil Practice Act of 1933 grants authority to county courts, subject to rules promulgated by the Supreme Court and not inconsistent with statutory requirements, to make such rules as they may deem expedient, regulating dockets and calendars of said court (L. 1933, p. 786).
 2. 2 U.S. Stat. 153; U.S.R.S. 1789-1874, p. 378.
 3. R.S. 1845, p. 323, 324, 414, 418, 419; L. 1865, p. 79, 80; L. 1871-72, p. 325; R. S. 1874, p. 262, 263; U.S.R.S. 1789-1874, p. 378-80; 34 U.S. Stat. 596-607; 44 U.S. Stat. 709, 710.
 4. R.S. 1874, p. 617; L. 1933, p. 678.

Proceedings of Court

134. MISCELLANEOUS INDEX, 1893--. 1 v. (1).

Index to Insane Papers, entry 139; Delinquent and Dependent Children, entry 165; and Probate Court Files, entry 172, showing names of estate, delinquent or dependent child, and alleged insane, nature of case, term date, and file box number. Arr. alph. by name of principal. Hdw. under pr. hdgs. 400 p. 16 x 12 x 2. Co. clk.'s east vlt., 1st fl.

135. INDEX TO COURT RECORD PLAINTIFF - DEFENDANT, 1872-1904.

4 v. (1, 2, plaintiff; 1, 2, defendant).

Index to County Court Records - Common Law, entry 138, and County Court Record - Criminal, entry 145, showing names of plaintiff and defendant, kind of action, dates commenced and disposed of, amount of judgment, and book, page, and docket numbers. Arr. alph. by names of plaintiff and defendant. Hdw. under pr. hdgs. 200 p. 18 x 13 x 2. V. 1, 2, plaintiff, 1872-1904, co. clk.'s east vlt., 1st fl.; v. 1, 2, defendant, 1872-1904, co. clk.'s west vlt., 1st fl.

136. COMMON LAW AND CRIMINAL CASES, 1872--. 149 f.b. (1-217 not consecutive).

Original papers in common law and criminal cases, including complaints, subpoenas, summonses, appeal bonds, affidavits of witnesses, petitions, transcripts, executions on confessed judgments, indictments, warrants, recognizance bonds, verdicts of jury, and orders of court. No obvious arr. For index, see entry 137. Hdw. and typed on pr. fm. 5 x 5 x 10. Co. clk.'s west vlt., 1st fl.

137. INDEX TO CRIMINAL COURT PAPERS (and Common Law), 1872--.

1 v. (1).

Index to common law and Criminal Cases, entry 136, showing name of defendant, and case and file box numbers. Arr. alph. by name of defendant. Hdw. under pr. hdgs. 320 p. 18 x 12 x 1 1/2. Co. clk.'s west vlt., 1st fl.

138. COUNTY COURT RECORDS - COMMON LAW, 1872--. 3 v. (1-3).

Record of proceedings in common law cases, including confession and transcript records, showing case number, court term, names of plaintiff, defendant, and attorneys, nature of case, and orders and judgments of court. Also contains Insane Records, 1872-93, entry 140; Default Record, 1900--, entry 143; Delinquent and Dependent Decree Record, 1872-1922, entry 166; (Record of Petitions for and Final Certificates of Naturalization), 1872-1906, entry 170. Arr. by case no. Indexed alph. by name of plaintiff; for sop. index, 1872-1904, see entry 135. 1872-1904, hdw.; 1905--, hdw., and typed. 600 p. 18 x 13 x 3. Co. clk.'s west vlt., 1st fl.

139. INSANE PAPERS, 1893-1927. 12 f.b. (127, 133, 180, 191, 200, 204, 205, 210, 214, 215, 335, 336). 1859-92 in County Court Papers, Miscellaneous (County Clerk's File), entry 94; 1923-- in Probate Court Files, entry 172.

Original papers in insanity cases, including petition for examination and commitment, interrogatory sheet, report of jury or commission, decrees of court, and warrant of commitment. No obvious arr. For index, see entry 134. Hdw. on pr. fm. 5 x 5 x 10. F.b. 127, 133, 180, 191, 200, 204, 205, 210, 214, 215, 1893-1922, co. clk.'s west vlt., 1st fl.; f.b. 335, 336, 1923-27, co. clk.'s east vlt., 1st fl.

140. INSANE RECORDS, 1894--. 5 v. (1-5). 1372-93 in County Court Records - Common Law, entry 138.

Record of proceedings in insanity cases, showing date of hearing, names of alleged insane, petitioner, witnesses, judge, medical examiner, examining commission, and clerk, date of examination, report of medical examiner, and court orders. Arr. by date of hearing. Indexed alph. by name of alleged insane. 1894-1929, hdw. on pr. fm.; 1930--, hdw. and typed on pr. fm. 500 p. 18 x 13 x 2 1/2. Co. clk.'s east vlt., 1st fl.

141. PETITION FOR SPECIAL IMPROVEMENTS AND ASSESSMENTS, 1911--.
10 f.b. (342-360 not consecutive).

Petitions for levying special assessment for local improvements, showing names of petitioners, type of improvement, affidavits of publishing notice, certificate of completion and acceptance, date of court orders approving petitions, and signature of judge. No obvious arr. No index. Typed. 11 x 5 x 21. Co. clk.'s east vlt., 1st fl.

142. SPECIAL ASSESSMENT RECORD, 1904--. 3 v. (2, 1, 2).
Title varies: County Court Record (Levy of Special Assessments), v. 2, 1904-18.

Record of special assessments for local improvements, including copies of assessment rolls, and petitions to levy assessments and to incorporate villages, 1915--, showing names and addresses of petitioner and owner, legal description and location of property, and total amount of assessment. No obvious arr. No index. 1904-18, hdw.; 1919--, hdw. under pr. hdgs. 400 - 600 p. 16 x 21 x 2 - 18 x 13 x 3. Co. clk.'s west vlt., 1st fl.

143. DEFAULT RECORD, 1873-99. 1 v. 1900-- in County Records - Common Law, entry 138.

Record of judgments by default, showing term date, names of plaintiff, defendant, judge, clerk, and sheriff, type of action, amount of judgment, and signature of clerk. Arr. by date of judgment. Indexed alph. by name of plaintiff. Hdw. on pr. fm. 600 p. 18 x 12 x 3. Attic.

144. ASSIGNMENT RECORD, 1881-93. 2 v. (A, B). 1837-80, 1894-- in Probate Court Record, entry 175.
Copies of assignments of real and personal property of insolvent estates, showing court order appointing assignee, date, amount, and obligations of bond of assignee, list of creditors, schedule of liabilities, and dates of filing and approval of commission's report. Arr. by date of assignment. Indexed alph. by name of assignor. Hdw. 500 p. 18 x 13 x 2 1/2. V. A, 1881-82, jurors' west rm., 2nd fl.; v. B, 1883-93, co. clk.'s vlt., 1st fl.
145. COUNTY COURT RECORD - CRIMINAL, 1872--. 8 v. (1-8).
Record of criminal cases, including probations, showing case number, name of defendant, term date, nature of indictment, proceedings, and orders of court. Also contains Recognizance Record, 1872-79, 1912--, entry 146. Arr. by case no. Indexed alph. by name of defendant; for sep. index, 1872-1904, see entry 135. 1872-1916, hdw.; 1917--, hdw. and typed. 600 p. 18 x 13 x 3. Co. clk.'s west vlt., 1st fl.
146. RECOGNIZANCE RECORD, 1880-1911. 1 v. 1872-79, 1912-- in County Court Record - Criminal, entry 145.
Copies of recognizance bonds, showing names of defendant and sureties, nature of case, date, amount, and obligations of bond, and date of filing. Arr. by date of filing. Indexed alph. by name of defendant. Hdw. on pr. fm. 575 p. 18 x 13 x 2 1/2. Co. clk.'s east vlt., 1st fl.
147. SWAMP LAND RECORD, 1854-83. 2 v. (A, B).
Record of sale of swamp lands, showing legal description and condition of land, kind and value of timber, court orders for drainage and improvements, date of sale, and name of purchaser. Arr. by date of sale. No index. Hdw. 330 p. 13 x 9 x 1 1/2. Co. clk.'s east vlt., 1st fl.

Dockets

Court Dockets

148. JUDGE'S DOCKET, 1934--. 1 v.
Docket of pending common law and criminal cases, showing date of filing suit, case number, date of court term, names of plaintiff, defendant, and attorneys, nature of case, and court order. Arr. by date of filing suit. No index. Hdw. under pr. hdgs. 400 p. 14 x 11 x 2. Co. clk.'s west vlt., 1st fl.
149. TRANSFER JUDGE'S DOCKET, 1872--. 21 v. (1, B-L, N-Q, 1872-1926; 1, 2, 1 not labeled, 1, 3, 1925--). Title varies: Judge's Docket, Criminal Law, v. 1, B-L, N-Q, 1872-1926.
Docket of closed criminal and civil cases, showing names of plaintiff, defendant, attorneys, and judge, date of filing suit, number and nature of case, and abstract of proceedings; also serves as a docket to naturalization cases, 1872-1906. Also contains Judge's Docket - Insane, 1872-92, entry 150, including Docket of Proceedings of Feeble-minded, entry 156. Arr. by date of filing suit. No index. Hdw. under pr. hdgs. 300 - 1000 p. 18 x 13 x 3 - 14 x 11 x 4. Co. clk.'s west vlt., 1st fl.

150. JUDGE'S DOCKET - INSANE, 1893--. 3 v. (1-3). 1872-92 in Transfer Judge's Docket, entry 149.

Docket of insanity cases, showing date of petition, names of petitioner, patient, witnesses, medical examiner, judge, and commissioners, report of commission, abstract of proceedings, court orders, and date of commitment. Also contains Docket of Proceedings of Feeble-minded, 1893-1914, entry 156. Arr. by date of petition. 1893-1928, indexed alph. by name of alleged insane; 1929--, no index. Hdw. under pr. hdgs. 240 p. 18 x 13 x 2 1/2. V. 1, 1893-1916, co. clk.'s east vlt., 1st fl.; v. 2, 1917-27, jurors' north rm., 2nd fl.; v. 3, 1928--, co. judge's off., 2nd fl., Wood Bldg.

151. DOCKET OF FINES, 1880--. 2 v. (1,2).

Docket of county court fines, showing name of defendant, nature of indictment, dates of arrest, judgment, and payment, name of payee, amounts of fines and costs, sheriff's return, and remarks. Arr. alph. by name of defendant. No index. Hdw. under pr. hdgs. 200 p. 18 x 13 x 2. Co. clk.'s west vlt., 1st fl.

152. INDEX TO JUDGMENTS (Judgment and Execution Docket), 1872--. 2 v. (1 not numbered, 2).

Listing of judgment docket entries, 1872-1907, and execution docket entries, 1907-30, showing names of plaintiff and defendant, date and amount of judgment, execution and judgment docket labeling and page of entry, amount of costs, and notation of satisfaction. This register serves as Judgment Docket, entry 154, subsequent to 1907; also serves as an Execution Docket, entry 153, subsequent to 1930. Arr. alph. by name of plaintiff. No index. Hdw. under pr. hdgs. 550 p. 18 x 13 x 2 1/2. Co. clk.'s west vlt., 1st fl.

153. EXECUTION DOCKET, 1872-1930. 1 v.

Docket of executions, showing names of plaintiff and defendant, amount of debts, damages, costs, and judgments, fee book labeling and page of entry, dates of execution, and sheriff's return. Arr. alph. by name of defendant. Indexed alph. by name of person against whom judgment is entered. Hdw. on pr. fm. 300 p. 18 x 13 x 2 1/2. Co. clk.'s west vlt., 1st fl.

For subsequent dockets, see entry 152.

154. JUDGMENT DOCKET, 1872-1907. 2 v. (1, 2).

Docket of judgments, showing names of plaintiff and defendant, nature of judgment, amounts of costs, debt, and damages, fee book and page of entry, and dates of judgment and satisfaction. Arr. alph. by name of plaintiff. No index. Hdw. under pr. hdgs. 500 p. 18 x 13 x 2 1/2. V. 1, 1872-83, co. clk.'s east vlt., 1st fl.; v. 2, 1884-1907, co. clk.'s west vlt., 1st fl.

For subsequent dockets, see entry 152.

155. JUDGMENT DOCKET AGAINST FRANKLIN COUNTY, 1923--. 1 v.

Docket of judgments entered against Franklin County, showing name of plaintiff, case number, and date and amount of judgment; also includes writs of mandamus, with book and page number in circuit court records, issued out of the circuit court, fixing terms of payment, court costs, dates of payment of installments, and order to county clerk to pay installments on judgments in the order of their priority. Arr. by case no. No index. Hdw. on pr. fm. 500 p. 12 x 18 x 2. Co. clk.'s east vlt., 1st fl.

156. DOCKET OF PROCEEDINGS OF FEEBLE-MINDED, 1915--. 1 v. (1).

1872-92 in Transfer Judge's Docket, entry 149; 1893-1914 in Judge's Docket - Insane, entry 150.

Docket of cases pertaining to feeble-minded persons, showing names of alleged feeble-minded, petitioner, medical examiner, and judge, date of examination, interrogations, case history, and decree and orders of court. Arr. by date of court orders. Indexed alph. by name of alleged feeble-minded person. Hdw. and typed under pr. hdgs. 147 p. 18 x 13 x 1 1/2. Co. clk.'s east vlt., 1st fl.

157. CLERKS' CRIMINAL AND LAW DOCKET, 1891. 1 v.

Docket of closed criminal and civil cases, showing names of plaintiff, defendant, attorneys, and judge, term date, number and nature of case, and abstract of proceedings. Arr. by case no. No index. Hdw. on pr. fm. 185 p. 14 x 8 1/2 x 1. Co. clk.'s west vlt., 1st fl.

158. BAR DOCKETS, 1848-1924. 9 v. (4 not numbered, 1, 2 not numbered, 3, 1 not numbered). Missing: 1855-67, 1880-90.

Docket of civil and criminal cases, showing case number, names of plaintiff, defendant, and attorneys, nature of action, and date of hearing. Arr. by date of hearing. 1848-96, no index; 1897-1924, indexed alph. by name of defendant. Hdw. under pr. hdgs. 150 - 435 p. 14 x 8 x 1 - 18 x 12 x 2. 4 v. not numbered, v. 1, 2 not numbered, 1848-96, west wash rm., 1st fl.; v. 3, 1897-1915, co. clk.'s east vlt., 1st fl.; 1 v. not numbered, 1916-24, co. clk.'s west vlt., 1st fl.

Justices' Dockets (See
also entries 220, 223)

159. JUSTICE OF PEACE DOCKET, 1870-1928. 39 v. (8 not numbered, 4, 5 not numbered, 1870-1902; 2, 3, 1899-1906; 2 not numbered, 1901-17; 4, 20 not numbered, 1906-28). Subsequent dockets are in the custody of present justices of the peace.

Docket of justice of peace cases, showing date of hearing, names of plaintiff, defendant, and justice, nature of case, plaintiff's and defendant's costs, and date of disposition of case. Also contains copies of chattel mortgages, showing names of mortgagor and mortgagee, date and amount of mortgage, terms, and description of property. Arr. by date of hearing. Indexed alph. by name of defendant or mortgagor. Hdw. under pr. hdgs. 300 p. 14 x 9 1/2 x 1 1/2. 7 v. not numbered, 1870-80, 1884-93, v. 4, 5 not numbered, 1895-1902, 2, 3, 1899-1906, 2 not numbered, 1901-17, 4, 1906-9, 20 not numbered, 1909-28, west wash rm., 1st fl.; 1 v. not numbered, 1881-83, jurors' north rm., 2nd fl.

160. POLICE MAGISTRATE DOCKETS, 1885-1925. 10 v. Missing: 1898, 1899, 1918. Subsequent dockets still in custody of present police magistrates.

Docket of police magistrate, showing names of plaintiff and defendant, costs of each, type and number of case, date and amount of judgment, and remarks. Arr. by case no. Indexed alph. by name of defendant. Hdw. under pr. hdgs. 300 p. 13 x 8 1/2 x 1 1/2. 9 v., 1835-1903, 1907-25, co. clk.'s east vlt., 1st fl.; 1 v., 1904-6, west wash rm., 1st fl.

Fee Books

161. FEE BOOK CRIMINAL AND CIVIL, 1872--. 7 v. (C, D, G-K). Title varies: Fee Book Civil, v. C, D, 1872-98.

Criminal and common law fee book, showing names of plaintiff and defendant, date and amount of judgment, amount of court costs, clerk's, sheriff's, and miscellaneous fees, and date and total amount of fees received. Peoples' Fee Book (Criminal Fees), entry 162, formerly kept separately. Also contains Register of Judgment and Costs Collected, 1872-86, 1891--, entry 164. Arr. by date of filing suit. Indexed alph. by name of defendant. Hdw. under pr. hdgs. 575 p. 18 x 13 x 3. Co. clk.'s west vlt., 1st fl.

162. PEOPLES' FEE BOOK (Criminal Fees), 1872-1906. 3 v. (D-F). 1907-- in Fee Book Criminal and Civil, entry 161.

Criminal case fee book showing names of plaintiff and defendant, term date, kind of action, court costs, sheriff's and clerk's fees, and total amounts of fees received. Arr. by date of hearing. Indexed alph. by name of defendant. Hdw. under pr. hdgs. 575 p. 18 x 13 x 3. Co. clk.'s west vlt., 1st fl.

163. INSANE FEE BOOK, 1895-1911. 1 v. 1865-78, 1894, 1912-- in Conservators' and Guardians' Fee Book, entry 206; 1879-93 in Administrators' (and Executors') Fee Book, entry 205.

Record of fees in insanity cases, showing names of alleged insane person and conservator, term date, date of petition, itemized amounts of costs and fees, total amount received, and date and by whom collected. Arr. by date of petition. Indexed alph. by name of alleged insane person. Hdw. under pr. hdgs. 400 p. 18 x 12 x 2. Co. clk.'s west vlt., 1st fl.

164. REGISTER OF JUDGMENT AND COSTS COLLECTED, 1827-90. 1 v. 1872-86, 1891-- in Fee Book Criminal and Civil, entry 161.

Register of costs paid on judgments, showing name of payer, amount of payment, and fees of witnesses, clerks, and court, book and page of entry, and date and total amount of payment. Arr. alph. by name of payer. No index. Hdw. under pr. hdgs. 250 p. 18 x 13 x 1 1/2. Co. clk.'s east vlt., 1st fl.

(165-169)

County Court - Probation;
Inheritance Tax;
Naturalization

Probation

Juvenile

165. DELINQUENT AND DEPENDENT CHILDREN, 1921-26. 1 f.b.
1837-1920, 1927-- in Probate Court Files, entry 172.

Original papers in delinquent and dependent cases, including petitions of state's attorney to commit delinquent children to institutions, petitions for adoptions of dependent children, and court decrees. No obvious arr. For index, see entry 134. Hdw. on pr. fm. 11 x 5 x 21. Co. clk.'s east vlt., 1st fl.

166. DELINQUENT AND DEPENDENT DECREE RECORD, 1923--. 1 v. (A).
1872-1922 in County Court Records - Common Law, entry 138.

Copies of court decrees, petitions for adoption, and application for discharge in delinquent and dependent cases, showing date, term of court, name of child, type of case, nature of decree, and judgment of court. Arr. by date of decree. Indexed alph. by sur-name of child. Typed. 592 p. 18 x 13 x 2 1/2. Co. clk.'s east vlt., 1st fl.

Mothers' Pension (See also
entries 7, 11, 14, 278, 284)

167. MOTHERS' PENSION DECREE RECORD, 1914--. 1 v. (1).

Record of mothers' pension cases, showing case number, dates of application and hearing, name of mother, number of dependent children, amount and date of allowance, and court orders. Arr. by date of hearing. Indexed alph. by name of mother. Hdw. on pr. fm. 432 p. 18 x 13 x 2. Co. clk.'s east vlt., 1st fl.

Inheritance Tax
(See also entry 94[iii])

168. INHERITANCE TAX DOCKET, 1914-28. 1 v. 1895-1913, 1929-- in
Transfer Judge's Probate Docket, entry 200.

Docket of inheritance tax cases, showing names of estate, attorney, and beneficiaries, date of death, appraised value and description of property, amount of exemption, interest, and total amount of tax as fixed by court. Arr. by date of death. No index. Hdw. under pr. hdgs. 40 p. 18 x 12 x 2. Co. clk.'s east vlt., 1st fl.

Naturalization
(See also entries 149, 255, 256)

169. (DECLARATIONS OF INTENTIONS), 1841-1906. In County Court Papers,
Miscellaneous (County Clerk's File), entry 94.

Aliens' declarations of intention to become citizens, showing names of alien and native land, oath of renunciation of allegiance to any foreign power and signature of county clerk.

County Court -
Court Business

(170,171)

170. (RECORD OF PETITIONS FOR AND FINAL CERTIFICATES OF NATURALIZATION), 1872-1906. In County Court Records - Common Law, entry 138.

Record of petitions for and final certificates of naturalization, showing name of alien, nationality, date and place of entry into the United States, oath of allegiance, and dates of final oath, certificate, and filing. Arr. by date of filing. Hdw.

Court Business

171. WITNESS AFFIDAVITS, 1921--. 1 v.

Affidavits of witnesses, showing date, names of witness, plaintiff, and defendant, for whom witness called, days of attendance, mileage, and total amount of payment. Arr. by date of affidavit. No index. Hdw. under pr. hdgs. 200 p. 17 x 11 x 2. Co. clk.'s off., 1st fl.

V. PROBATE COURT

Jurisdiction in probate matters in Franklin County at the time of it's creation on January 2, 1818 was in the territorial county court.¹ However, on January 12, 1818 this court was abolished² and its probate jurisdiction was vested in the territorial circuit court³ and continued in this court until 1819. In that year control over probate matters passed to the county commissioners' court;⁴ this arrangement lasted for only two years, when in 1821⁵ a separate probate court was established. The probate judge was appointed by the General Assembly and held office during good behavior.⁶ From 1837 to 1849, probate court was held by a probate justice of the peace who was elected by the county electorate for a two-year term, with a four-year term effective in 1839.⁷ The term was reduced in 1847 to two years.⁸ The jurisdiction of the probate court was transferred to the newly created county court in 1849.⁹ The Franklin county court has retained probate jurisdiction from that date to the present.¹⁰

As enunciated by the present constitution and subsequent legislation, the jurisdiction of the court extends to all probate matters, the settlement of estates of deceased persons, the appointment of guardians and conservators and settlement of their accounts, all matters relating to apprentices, and cases of sales of real estate of deceased persons for payment of debts.¹¹

Appeals may be taken from the final orders, judgments and decrees of the probate court to the circuit court of the county except in proceedings in applications of executors, administrators, guardians, and conservators for the sale of real estate. The appellant must give bond and security in such amount and upon such condition as the court shall require.¹²

Aiding the court in its jurisdiction over the administration of intestate estates and the guardianship of minors, are the public administrator

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1. Nathaniel Pope, ed., Laws of the Territory of Illinois, II, 345.
 2. Laws of Illinois Territory, 1817-18, p. 98.
 3. Ibid., p. 92.
 4. L. 1819, p. 223.
 5. L. 1821, p. 119.
 6. Ibid.
 7. L. 1836-37, p. 176.
 8. L. 1845, p. 28; effective in 1847.
 9. Const. 1848, Art. V, sec. 16,18; L. 1849, p. 65.
 10. R.S. 1874, p. 339,340; L. 1933, p. 449,458.
 11. Const. 1870, Art. VI, sec. 20; L. 1877, p. 80.
 12. Ibid., p. 81.

Probate Court

and the public guardian. Each officer is appointed quadrennially by the Governor with the advice and consent of the Senate. The public administrator and public guardian are required to enter into bonds set and approved by the court in sums not less than \$5,000.¹ Their duties are performed under the direction and orders of the court. The records that result from their prescribed duties appear among the records of the court with those of other administrators, executors, and guardians.

When there is no relative or creditor who will administer an intestate estate, the court commits the administration to the public administrator upon application of any person interested in the estate.² If a widow, next of kin, or creditor of the deceased appears within six months after the administration is granted to the public administrator, the court then revokes its grant of administration to the public administrator and orders letters of administration granted to such person interested in the estate. If, after all debts and charges against the estate which have been presented within two years after the administration of the estate was committed to such public administrator are fully paid, any balance of the estate remains, the administrator causes a notice to be published requiring persons still having claims against the estate to present them to the county court within six months. If no claims are presented, the balance is paid into the county treasury upon the expiration of the six-month period, the county remaining answerable to any future claims.³

As already noted, the court has authority to appoint guardians of minor heirs of deceased persons. In cases where the minor is under fourteen years of age the court appoints his guardian. When the minor is over fourteen he may nominate his own guardian, subject to the approval of the court.⁴ Under the direction of the court, the guardian is responsible for the custody, nurture, and tuition of his ward and the care and management of his estate. The court may assign the guardianship of the estate to one guardian and the custody, nurture, and tuition of the ward to another.⁵ Within sixty days after his appointment, the guardian returns to the court a complete inventory of the real and personal estate of the ward in the form prescribed by law.⁶ At the end of the first year of his appointment, and every three years thereafter, he makes a settlement of his accounts. When his trust is completed or upon the death of the ward, the guardian makes final settlement and delivers over to persons entitled to them the property and papers in his hands as guardian.⁷ Upon failure of a guardian appointed

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1. L. 1825, p. 70-72; R.L. 1829, p. 203; R.L. 1833, p. 627,628; R.S. 1845, p. 548; L. 1871-72, p. 89; L. 1881, p. 3; L. 1889, p. 165.
 2. R.L. 1833, p. 628; R.S. 1845, p. 548; L. 1871-72, p. 89.
 3. R.S. 1845, p. 549; L. 1871-72, p. 89,90.
 4. L. 1831, p. 100; L. 1835, p. 36; R.S. 1845, p. 265,266; L. 1873-74, p. 107; L. 1919, p. 583; L. 1931, p. 618; L. 1937, p. 660.
 5. L. 1871-72, p. 469; L. 1877, p. 114.
 6. L. 1919, p. 582; L. 1933, p. 644.
 7. L. 1871-72, p. 471; L. 1919, p. 583; L. 1929, p. 506.

by the court to act within three months in this capacity, the court commits the guardianship of the minor to the public guardian.¹ The latter's records appear with those of other guardians.

The clerk of the territorial circuit court, 1818 to 1819,² the clerk of the county commissioners' court, 1819 to 1821,³ the probate judge, 1821 to 1837,⁴ and the probate justice of the peace 1837 to 1849,⁵ each performed the ministerial functions of the probate clerk. From the establishment of the county court in 1849, until the present, the county clerk has served as ex officio probate clerk.⁶

The clerk is required to attend the sessions of court, issue all process, preserve all files and papers, make, keep, and preserve complete records of all the proceedings and determinations of the court, and perform all other duties pertaining to his office as required by law or the rules and orders of his court. He is required to enter of record all judgments, decrees, and orders of the court.⁷

The major records of the probate court kept by the clerk are the following:

1. Journal of all judicial proceedings and determinations of the judge.
2. A judgment docket with a direct and an indirect index: former, by name of claimant against estate; latter by estate. In practice, the requirement of two indexes often leads to two dockets.
3. Books for recordation of bonds and letters of administrators, executors, guardians, and conservators; appraisal and sale of bills; widows' relinquishment and selection of property; wills and the probate thereof; annual and final reports of administrators, executors, guardians, and conservators. Generally, each category of these probate business matters is recorded separately, but the segregation is not always carefully maintained.

1. L. 1889, p. 165.

2. Laws of Illinois Territory, 1817-18, p. 94. The clerk of the territorial county court performed the duties of the probate clerk from January 2, 1818 (Nathaniel Pope, ed., Laws of the Territory of Illinois, II, 346, 349).

3. L. 1819, p. 175.

4. L. 1821, p. 119, 120.

5. L. 1837, p. 177, 178.

6. Const. 1848, Art. V, sec. 16, 18; L. 1849, p. 63-65; R.S. 1874, p. 339, 340.

7. L. 1877, p. 82.

4. Separate dockets of unsettled estates and claims against estates, and a ledger of the accounts of executors, administrators, and guardians. Note that the dockets of probate matters are separated from dockets of court proceedings just as are the books of recordation of the two categories; the intention of the law to make this distinction is further shown in its granting the clerk, during vacation of the court, power to receive petitions, accept bonds, grant letters testamentary, etc.
5. Files of original documents not subject to recordation; indexes to such; records of office transactions in pursuance of the court's orders to the clerk, necessary in the latter's settlement with that body.¹

Proceedings of Court

General

172. PROBATE COURT FILES, 1837--. 309 f.b. (1-309).

Probate court files, including administrators', executors', guardians', and conservators' accounts, reports, final reports, bonds, oaths, fee bills, petitions, claims, appointments of administrative officers, court approval of bonds, payment of legacies, sale, final discharge, and closing of estate, nuncupative wills, affidavits to prove heirship, inventories, appraisements, reports of sale, notices to sell land with affidavit of posting notices, receipts, notes, legatees receipts of request, and sale bills. Also contains Supervisors' Papers, 1927--, entry 1; (Insurance Policies), 1938--, entry 32; Insane Papers, 1928--, entry 139; Delinquent and Dependent Children, 1837-1920, 1927--, entry 165. Arr. by case no. For index, see entries 173, 174; for index, 1893--, see entry 134. Hdw. under pr. hdgs.; hdw. on pr. fm.; hdw. and typed. 10 x 5 x 14. Co. clk.'s east vlt., 1st fl.

173. INDEX TO ESTATE PAPERS, 1837--. 1 v. (2).

Index to administrators', executors', and conservators' cases in Probate Court Files, entry 172, showing name of estate, and file box number. Arr. alph. by name of estate. Hdw. under pr. hdgs. 500 p. 16 x 11 x 2. Co. clk.'s east vlt., 1st fl.

174. GUARDIAN'S INDEX, 1837--. 1 v. (2).

Index to guardianship cases in Probate Court Files, entry 172, showing name of minor, and file box number. Arr. alph. by name of minor. Hdw. under pr. hdgs. 500 p. 16 x 11 x 2. Co. clk.'s east vlt., 1st fl.

1. L. 1821, p. 119,120; R.L. 1829, p. 215,231; L. 1837, p. 429; R.S. 1845, p. 427,428; L. 1851, p. 193; L. 1859, p. 92-94; R.S. 1874, p. 260-265; L. 1877, p. 63; L. 1933, p. 293.

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Probate Court -
Proceedings

175. PROBATE COURT RECORD, 1837--. 20 v. (ABC, B-I, H2, 1-10).

Title varies: Probate Record Decrees, v. 1-5, 1912-30.

Record of proceedings in probate cases, showing names of petitioners, estate, heirs, and witnesses, petitions and actions, date of proceedings, and orders and decrees of court. This record contains notations of all wills, petitions, oaths, bonds, and letters, inventories and appraisements, reports, and current and final accounts. Also contains Assignment Record, 1837-80, 1894--, entry 144; Widows' Relinquishment and Selection Record, 1837-77, 1935--, entry 191; Sale of Real Estate, 1837-65, 1905--, entry 192, including Petitions and Decrees to Sell Real Estate, entry 193, and Proceedings on Guardians' Petition for Sale of Real Estate, entry 194; Sale Record Personal Property, 1837-44, 1936--, entry 195; Probate Settlements, 1837-52, 1885--, entry 198; Insolvent Estate Record, 1837-82, 1912--, entry 199. Arr. by case no. Indexed alph. by names of estate, guardian or minor. 1837-1911, hdw.; 1912-20, hdw. and typed; 1921--, typed. 600 p. 18 x 13 x 3. V. ABC, B-I, H2, 1-5, 1837-1930, co. clk.'s west vlt., 1st fl.; v. 6-10, 1931--, co. clk.'s east vlt., 1st fl.

176. PROBATE RECORD ESTATES, 1906-35. 4 v. (I-L).

Copies of petitions to appoint administrative officers and to probate wills; inventories of and claims against estates; proof of death, and discharge of administrative officer, showing court term, date, names of estate and claimant, list of real and personal property, and date, amount, and purpose of claim. Arr. by date of claim. Indexed alph. by name of principal. Hdw. 600 p. 18 x 13 x 3. Co. clk.'s west vlt., 1st fl.

Wills, Bonds, Letters (See also
entries 99[v,xi], 118, 175)

177. WILL RECORD, 1845--. 6 v. (A-F).

Copies of wills and testaments, showing names of deceased, widow, witnesses, and heirs, date and terms of will, proof of death, description and valuation of estate, notes and annuities, and date of filing. Arr. by date of filing. Indexed alph. by name of deceased. 1845-1912, hdw. on pr. fm.; 1913--, hdw. and typed on pr. fm. 200 - 600 p. 15 x 11 x 1 1/2 - 18 x 13 x 3. Co. clk.'s east vlt., 1st fl.

178. ADMINISTRATORS' RECORD BOND AND LETTERS (and Petitions and Oaths), 1855--. 14 v. (A-N). Title varies: Administrators' and Guardians' Bonds and Letters, v. A, 1855-58.

Copies of administrators' petitions, oaths, bonds, and letters, showing names of estate, petitioner, administrative officer, bondsmen, sureties, witnesses, and heirs, dates of petition, bond, letters, and oath of administrator, amount and obligations of bond, and dates of court term, acknowledgment, and filing. Also contains Probate Bonds and Letters, 1855-71, 1920--, entry 179; Additional Bond Record, 1855-71, entry 180; New Bonds of Administrators and Executors (New Additional Bonds of Administrator), 1855-73, 1883--, entry 181; Public Administrators' Record, 1855-84, 1936--, entry 182; Guardians' Record Bonds and Letters, 1855-58, entry 183, and Conservators' Record (Oaths, Bonds, and Letters), 1855-78, entry 185. Arr. by date of petition. Indexed alph. by name of estate. 1855-1922, hdw. on pr. fm.; 1923--, typed on pr. fm. 400 - 600 p. 13 1/2 x 8 1/2 x 2 - 18 x 13 x 3. V. A-L, 1855-1932, co. clk.'s west vlt., 1st fl.; v. M, N, 1933--, co. clk.'s east vlt., 1st fl.

179. PROBATE BONDS AND LETTERS, 1872-1919. 1 v. 1855-71, 1920-- in Administrators' Record Bond and Letters (and Petitions and Oaths), entry 178.

Copies of administrators' bonds and letters de bonis non with will annexed, showing names of estate, administrator, sureties, widow, and heirs, dates of petition, bond, letters, oath, and will, amount of bond, and copy of will. Also contains Additional Bond Record, 1872-82, entry 180. Arr. by date of bond. Indexed alph. by name of estate. Hdw. on pr. fm. 300 p. 18 x 13 x 1 1/2. Co. clk.'s west vlt., 1st fl.

180. ADDITIONAL BOND RECORD, 1883-1914. 1 v. 1855-71 in Administrators' Record Bond and Letters (and Petitions and Oaths), entry 178; 1872-82 in Probate Bonds and Letters, entry 179.

Copies of additional bonds of administrators, showing names of estate, administrator, bondsmen, and witnesses, amount and date of bond, and date of filing. Arr. by date of filing. Indexed alph. by name of estate. Hdw. on pr. fm. 575 p. 18 x 13 x 2 1/2. Co. clk.'s west vlt., 1st fl.

181. NEW BONDS OF ADMINISTRATORS AND EXECUTORS (New Additional Bonds of Administrator), 1874-82. 1 v. 1855-73, 1883-- in Administrators' Record Bond and Letters (and Petitions and Oaths), entry 178.

Copies of renewals of additional bonds of administrators, showing names of estate, administrator, bondsmen, and witnesses, date, amount, and obligations of bond, and date of filing. Arr. by date of filing. Indexed alph. by name of estate. Hdw. on pr. fm. 575 p. 18 x 13 x 2 1/2. Co. clk.'s west vlt., 1st fl.

182. PUBLIC ADMINISTRATORS' RECORD, 1885-1935. 1 v. 1855-84, 1936-- in Administrators' Record Bond and Letters (and Petitions and Oaths), entry 178.

Copies of public administrators' bonds and letters, showing names of estate, public administrator, and sureties, date and amount of bond, appointment and oath of administrator, letters of administration, and date of filing. Arr. by date of filing. Indexed alph. by name of public administrator. Hdw. and typed. 400 p. 18 x 13 x 2. Co. clk.'s east vlt., 1st fl.

183. GUARDIANS' RECORD BONDS AND LETTERS (and Petitions and Oaths), 1859--. 7 v. (B-H). 1855-58 in Administrators' Record Bond and Letters (and Petitions and Oaths), entry 178.

Copies of guardians' petitions, oaths, bonds, and letters, showing names of estate, guardian, minor heirs, bondsmen, and witnesses, date, amount, and obligations of bond, dates of oath and letters of guardianship, and date of filing. Also contains Conservators' Records (Petitions), 1859-78, entry 184. Arr. by date of filing. Indexed alph. by name of minor. 1859-1916, hdw. on pr. fm.; 1917--, hdw. and typed on pr. fm. 600 p. 18 x 13 x 3. V. B-F, 1859-1926, co. clk.'s west vlt., 1st fl.; v. G, H, 1927--, co. clk.'s east vlt., 1st fl.

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Probate Court -
Proceedings

184. CONSERVATORS' RECORDS (Petitions), 1879--. 2 v. (A, B).

1859-78 in Guardians' Record Bonds and Letters (and Petitions and Oaths), entry 183.

Copies of petitions for appointment of conservator, showing names of conservator, incompetent, and county clerk, and dates of petition and filing. Arr. by date of filing. Indexed alph. by name of incompetent. 1379-1913, hdw. on pr. fm.; 1914--, hdw. and typed on pr. fm. 575 p. 18 x 13 x 2 1/2. Co. clk.'s east vlt., 1st fl.

185. CONSERVATORS' RECORD (Oaths, Bonds, and Letters), 1879--.

2 v. (A, B). 1855-78 in Administrators' Record Bonds and Letters (and Petitions and Oaths), entry 178.

Copies of conservators' oaths, bonds, and letters, showing names of estate, conservator, sureties, and witnesses, amount and date of bond, letters of conservatorship, and dates of letters, oath, and filing of bond. Arr. by date of filing. Indexed alph. by name of estate. Hdw. on pr. fm. 600 p. 18 x 13 x 3. Co. clk.'s east vlt., 1st fl.

186. EXECUTORS' RECORD, 1859--. 3 v. (A-C).

Copies of executors' petitions, oaths, bonds, and letters, showing names of executor, estate, and sureties, date and amount of bond, dates of publishing will and testament, oath of executor, letters testamentary, and date of filing. Arr. by date of filing. Indexed alph. by name of estate. Hdw. on pr. fm. 600 p. 18 x 13 x 3. V. A, B, 1859-1924, co. clk.'s west vlt., 1st fl.; v. C, 1924--, co. clk.'s east vlt., 1st fl.

Inventories and Appraisements (See also entry 175)

187. INVENTORY RECORD, 1871--. 12 v. (G-R). 1845-70 in Appraisement Record, entry 190.

Record of administrators' and executors' inventories of estates, including copartnership inventories, 1871-88, 1914--, showing names of estate and administrator or executor, itemized list of real and personal property, rate of interest on accounts payable and receivable, name of debtor, and dates of approval and filing. Arr. by date of filing. Indexed alph. by name of estate. 1871-1926, hdw. on pr. fm.; 1927--, hdw. and typed on pr. fm. 600 p. 18 x 13 x 3. V. G-N, 1871-1926, co. clk.'s west vlt., 1st fl.; v. O-R, 1927--, co. clk.'s east vlt., 1st fl.

188. GUARDIANS' INVENTORY RECORD, 1871--. 2 v. (I, M). 1845-70 in Appraisement Record, entry 190.

Record of guardians' and conservators' inventories of estates, showing names of estate and guardian or conservator, itemized lists of chattels and real estate, notes and accounts payable and receivable, and dates of approval and filing. Arr. by date of filing. Indexed alph. by name of guardian or minor. 1871-1923, hdw. on pr. fm.; 1924--, typed on pr. fm. 600 p. 18 x 13 x 3. V. I, 1871-1923, co. clk.'s west vlt., 1st fl.; v. M, 1924--, co. clk.'s east vlt., 1st fl.

189. COPARTNERSHIP INVENTORY AND APPRAISEMENT RECORD, 1889-1913. 1 v. Record of inventory and appraisement of estates of deceased partners, showing description and valuation of chattels, notes, accounts, cash on hand, oaths and names of appraiser, appraisement bill, and date of filing. Arr. by date of filing. Indexed alph. by name of deceased partner. Hdw. on pr. fm. 300 p. 18 x 13 x 2 1/2. Co. clk.'s west vlt., 1st fl.

For prior and subsequent records of copartnership appraisements, see entry 190; for prior and subsequent records of copartnership inventories, see entry 187.

190. APPRAISEMENT RECORD, 1845--. 14 v. (D, C-F, G, 1845-82; 4, 1872-82; H-N, 1872--). Title varies: Inventory, Appraisement and Sale Record, v. C-F, 1849-71.

Record of appraisals of estates in probate including copartnership appraisements, 1845-88, 1914--, showing names of estate, appraiser, widow, and minor heirs, court order appointing appraiser, dates of oath and acknowledgment, itemized statement, value of real and personal property, total value, and amounts allowed widow and minor children. Also contains Inventory Record, 1845-70, entry 187; Guardians' Inventory Record, 1845-70, entry 188; Sale Record Personal Property, 1845-70, entry 195. Arr. by date of appraisement. Indexed alph. by name of estate. 1845-1918, hdw. on pr. fm.; 1919--, hdw. and typed on pr. fm. 600 p. 18 x 13 x 3. V. D, C-F, G, 4, H-K, 1845-1918, co. clk.'s west vlt., 1st fl.; v. L-N, 1919--, co. clk.'s east vlt., 1st fl.

Widows' Relinquishment
and Selection

191. WIDOWS' RELINQUISHMENT AND SELECTION RECORD, 1878-1934. 3 v. (1, 2, B). 1837-77, 1935-- in Probate Court Record, entry 175.

Record of widows' relinquishments and selections, showing names of deceased, widow, and appraiser, itemized list of articles appraised, value of widow's award, personal property selected, and date of filing. Arr. by date of filing. Indexed alph. by name of deceased. 1878-1909, hdw. on pr. fm.; 1910-34, hdw. and typed on pr. fm. 575 p. 18 x 13 x 2 1/2. V. 1, 2, 1878-1909, co. clk.'s west vlt., 1st fl.; v. B, 1910-34, co. clk.'s east vlt., 1st fl.

Petitions, Decrees,
Reports of Sale

192. SALE OF REAL ESTATE, 1866-1904. 3 v. (A, B, B). Title varies: Record of Decrees, v. A, 1866-78; Decree to Sell Real Estate to Pay Debts, v. B, 1879-89. 1837-65, 1905-- in Probate Court Record, entry 175.

Record of decrees and bonds for sale of real estate to pay debts, showing names of estate, petitioner, and administrative officer, legal description of property, and dates of sale, report to court, and filing. Also contains Petitions and Decrees to Sell Real Estate, 1866-73, 1892-1904, entry 193; Proceedings on Guardians' Petition for Sale of Real Estate, 1866-73, 1899-1904, entry 194. Arr. by date of sale. Indexed alph. by name of estate. 1866-89, hdw. on pr. fm.; 1890-1904, hdw. 400 p. 18 x 13 x 2. Co. clk.'s west vlt., 1st fl.

(193-196)

Probate Court -
Proceedings

193. PETITIONS AND DECREES TO SELL REAL ESTATE, 1874-91.

2 v. (A, 1874-82; B, 1878-91). Title varies: Proceedings on Petitions to Sell Real Estate, v. A, 1874-82. 1837-65, 1905-- in Probate Court Record, entry 175; 1866-73, 1892-1904 in Sale of Real Estate, entry 192.

Copies of petitions of administrators to sell real estate to pay debts, showing names of administrator and estate, description of property, date and amount of sale, report to court, and date of filing. Volume A contains no entries from 1878 to 1881. Arr. by date of sale. Indexed alph. by name of estate. Hdw. on pr. fm. 425 p. 18 x 12 x 2. Co. clk.'s west vlt., 1st fl.

194. PROCEEDINGS ON GUARDIANS' PETITION FOR SALE OF REAL ESTATE, 1874-98.

1 v. 1837-65, 1905-- in Probate Court Record, entry 175. 1866-73, 1899-1904 in Sale of Real Estate, entry 192.

Copies of guardians' petitions for sale of real estate to pay debts, showing court term, names of deceased, guardian, and minor heirs, description of property, terms, and date of sale. Arr. by date of sale. Indexed alph. by name of guardian. Hdw. on pr. fm. 575 p. 18 x 13 x 2 1/2. Co. clk.'s west vlt., 1st fl.

195. SALE RECORD PERSONAL PROPERTY, 1871-1935. 4 v. (G, H, 1, 2).

1837-44, 1936-- in Probate Court Record, entry 175. 1845-70 in Appraisement Record, entry 190.

Record of public and private sales of personal property of estates, showing names of estate, petitioner, and purchaser, itemized list of articles sold, date and amount of sale, and date of filing. Arr. by date of filing. Indexed alph. by name of estate. 1871-1901, hdw. on pr. fm.; 1902-35, hdw. and typed on pr. fm. 500 p. 18 x 13 x 2 1/2. V. G, H, 1871-1901, co. clk.'s west vlt., 1st fl.; v. 1, 2, 1902-35, co. clk.'s east vlt., 1st fl.

Reports, Current and
Final Accounts (See also
entry 175)

196. GUARDIANS' REPORT RECORD, 1858--. 13 v. (A-M).

Record of guardians' and conservators' reports, showing names of estate, guardian or conservator, and minor heirs, items of receipts and disbursements, names of payer or recipient, total amounts of receipts and disbursements, balance due heirs, and dates of report and filing. Arr. by date of filing. Indexed alph. by names of guardian and conservator. 1858-1927, hdw. on pr. fm.; 1928--, hdw. and typed on pr. fm. 600 p. 18 x 13 x 3. V. A-J, 1858-1927, co. clk.'s west vlt., 1st fl.; v. K-M, 1928--, co. clk.'s east vlt., 1st fl.

197. ADMINISTRATORS' (Report) RECORD, 1871--. 7 v. (A, 1871-84; D-I, 1883--). Title varies: Report Record, v. A, 1871-84, D-F, 1883-1930.

Copies of reports of administrators and executors, showing names of estate, administrator, and executor, items and amounts of receipts and disbursements, names of payee and payer, recapitulation, and date of report. Arr. by date of receipts or disbursements. Indexed alph. by name of estate. 1871-1930, hdw. on pr. fm.; 1931--, hdw. and typed on pr. fm. 600 p. 18 x 13 x 3. V. A, D-F, 1871-1930, co. clk.'s west vlt., 1st fl.; v. G-I, 1931--, co. clk.'s east vlt., 1st fl.

198. PROBATE SETTLEMENTS, 1853-84. 3 v. (A-C). 1837-52, 1885-- in Probate Court Record, entry 175.

Record of final settlements of estates, showing names of estate, administrator, guardian, and executor or conservator, inventory of estate, itemized list of chattels, appraised value, amount of widow's award, balance of estate, and date of filing. Arr. by date of filing. Indexed alph. by name of estate.. Hdw. 400 p. 18 x 12 x 2. V. A, 1853-63, jurors' north rm., 2nd fl.; v. B, C, 1864-84, co. clk.'s west vlt., 1st fl.

199. INSOLVENT ESTATE RECORD, 1883-1911. 1 v. 1837-82, 1912-- in Probate Court Record, entry 175.

Record of insolvent estates, showing administrator's report on assets and liabilities of estate, inventory and appraisement of estate, description of property, and date of filing. Arr. by date of filing. Indexed alph. by name of estate. Hdw. on pr. fm. 585 p. 18 x 13 x 2 1/2. Co. clk.'s east vlt., 1st fl.

Dockets

200. TRANSFER JUDGE'S PROBATE DOCKET, 1859--. 18 v. (1 not labeled, D-I, I, J, J-M, 4 not labeled, 3); 1 bdl. Title varies: Probate Judge's Docket, 1 not labeled, v. D-I, I, J, J-M, 1859-1915.

Probate judge's transfer docket showing case number, names of claimant, estate, and attorneys, type of action, summary of case, and dates of proceedings. Also contains Inheritance Tax Docket, 1895-1913, 1929--, entry 168; Transfer General Docket, 1859-1928, entry 201; Estate Docket, 1870-74, 1921--, entry 203; Guardians' Docket, 1894--, entry 204. 1859-1915, arr. by case no.; 1916--, arr. by date of proceedings. No index. 1859-1935, hdw. under pr. hdgs.; 1936--, hdw. V. 600 p., 18 x 13 x 3 - 16 x 12 x 3; bdl. 7 x 5 x 1. Co. clk.'s west vlt., 1st fl.

201. TRANSFER GENERAL DOCKET, 1929--. 1 v. 1859-1928 in Transfer Judge's Probate Docket, entry 200.

General transfer docket of probate proceedings, showing names of estate, administrator, executor, guardian or conservator, sureties, widow, and heirs, dates of letters, amount of bond, amounts and dates of filing of inventory and sale bill, and approval of court. Arr. alph. by name of estate. No index. Hdw. under pr. hdgs. 200 p. 9 x 18 x 1. Co. clk.'s east vlt., 1st fl.

(202-206)

Probate Court -
Fee Books

202. ESTATE CLAIM DOCKET, 1929--. 2 v. (1, 2).

Docket of claims filed against estates, showing names of estate and claimant, amount, date, and nature of claim, notices, and court orders. Arr. by date of claim. Indexed alph. by name of estate. Hdw. under pr. hdgs. 600 p. 18 x 13 x 3. Co. clk.'s east vlt., 1st fl.

203. ESTATE DOCKET, 1859-69, 1875-1920. 5 v. (1 not lettered, A-D). 1849-58 in Guardians' Docket, entry 204; 1870-74, 1921-- in Transfer Judge's Probate Docket, entry 200.

Docket of proceedings of estates in probate, showing names of estate, administrative officer, widow, and heirs, dates of letters, date and amount of bond, amount of claims allowed, and court orders. Arr. by date of filing of case. Indexed alph. by name of estate. Hdw. under pr. hdgs. 600 p. 18 x 13 x 3. Co. clk.'s west vlt., 1st fl.

204. GUARDIANS' DOCKET, 1849-93. 3 v. (1, A, B). 1894-- in Transfer Judge's Probate Docket, entry 200.

Docket of proceedings in guardian and conservator cases, showing names of estate, and guardian or conservator, names and ages of wards, dates of letters, date and amount of bond, names of sureties, abstract of proceedings, and court orders. Also contains Estate Docket, 1849-58, entry 203. Arr. by date of proceedings. Indexed alph. by name of guardian. Hdw. under pr. hdgs. 400 p. 18 x 12 x 2. Co. clk.'s west vlt., 1st fl.

Fee Books

205. ADMINISTRATORS' (and Executors') FEE BOOK, 1859--. 9 v. (A-I). Title varies: Probate Fee Book, v. A, C, 1859-94, v. E, 1909-11; Administrators' and Executors' Fee Book, v. D, 1895-1908.

Ledger of fees received in administrators' and executors' cases, showing names of estate, administrator, and executor, court costs, items of fees charged, dates, and total amounts of fees. Also contains Insane Fee Book, 1879-93, entry 163; Conservators' and Guardians' Fee Book, 1859-64, 1879-93, entry 206. Arr. by date of case. Indexed alph. by name of estate. Hdw. under pr. hdgs. 600 p. 18 x 13 x 3. V. A-G, 1859-1929, co. clk.'s west vlt., 1st fl.; v. H, I, 1930--, co. clk.'s east vlt., 1st fl.

206. CONSERVATORS' AND GUARDIANS' FEE BOOK, 1865-78, 1894--. 4 v. (B, D-F). Title varies: Guardians' Fee Book, v. B, 1865-78. 1859-64, 1879-93 in Administrators' (and Executors') Fee Book, entry 205.

Ledger of fees received in conservators' and guardians' cases, showing names of incompetent's or minor's estate, conservator or guardian, items of costs and fees, and dates and total amounts of fees charged. Also contains Insane Fee Book, 1865-78, 1894, 1912--, entry 163. Arr. by date of case. Indexed alph. by name of guardian or conservator. Hdw. under pr. hdgs. 600 p. 18 x 13 x 3. V. B, 1865-78, jurors' north rm., 2nd fl.; v. D, 1894-1911, co. clk.'s west vlt., 1st fl.; v. E, F, 1912--, co. clk.'s east vlt., 1st fl.

Probate Accounts

207. PROBATE LEDGER, 1856-72. 1 v.

Ledger of debits and credits of estates, showing names of estate and administrative officer, reference to book and pages of report, and amounts of debits and credits. Arr. by date of transaction. Indexed alph. by name of estate. Hdw. under pr. hdgs. 400 p. 18 x 12 x 2. Co. clk.'s west vlt., 1st fl.

VI. CIRCUIT COURT

The circuit court has original jurisdiction of all causes in law and equity and acts as a court of appeals in probate matters and causes cognizable by the county court and justices of the peace.¹ In addition, it is one of the courts capable of exercising naturalization jurisdiction according to Federal statutes.²

When Franklin County was created on January 2, 1818 the circuit court was held by the justices of the territorial Supreme Court.³ Ten days later this law was repealed and the circuit court was required to be held by a circuit judge, appointed by the territorial Governor.⁴ Upon admission of Illinois to the Union, the circuit court was held by the justices of the Supreme Court.⁵ Later, provision was made for the appointment by both branches of the General Assembly of separate circuit judges, to hold office during good behavior.⁶ In 1827 an act repealed this provision and provided that circuit courts be held by Supreme Court justices.⁷ In 1835 the judiciary was reorganized and a circuit judge was appointed by the General Assembly for the district serving Franklin County. All of the laws requiring Supreme Court justices to hold circuit courts were repealed by this legislation.⁸ The new plan of organization was only in effect for a brief period of six years, for in 1841 additional associate justices of the Supreme Court were appointed by joint ballot of the general Assembly, which justices, together with the other justices of the Supreme Court, held the circuit courts.⁹ Then in 1849 another change was made in accordance with the second constitution which provided for the election of circuit judges by the judicial district electorate.¹⁰ The constitution of 1870 altered the circuit districts and established population requirements for counties that may comprise a circuit.¹¹ From 1849 to the present the circuit judges have been elected officers of the judicial district electorate. The second circuit is made up of twelve counties one of which is Franklin.¹²

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1. Const. of 1870, Art. VI, sec. 12; L. 1871-72, p. 109; R.S. 1874, p. 344; L. 1895, p. 139; L. 1933, p. 688; L. 1935, p. 1.
 2. 2 U.S. Stat. 155; U.S.R.S. 1789-1874, p. 378-80; 34 U.S. Stat. 596; 37 U.S. Stat. 737; 44 U.S. Stat. 709. Circuit courts still retain naturalization jurisdiction but do not exercise it where U.S. District Courts are convenient.
 3. Nathaniel Pope, ed., Laws of the Territory of Illinois, II, 333-43.
 4. Laws of Illinois Territory 1817-18, p. 92.
 5. Const. 1818, Art. IV, sec. 4.
 6. L. 1824, p. 41.
 7. R.L. 1827, p. 118.
 8. L. 1835, p. 150, 151.
 9. L. 1841, p. 173; R.S. 1845, p. 143.
 10. Const. 1848, Art. V, sec. 7, 15.
 11. Const. 1870, Art. VI, sec. 13.
 12. L. 1933, p. 436.

Circuit Court

Three circuit judges who serve for six-year terms are elected for the district. Before entering upon the duties of his office, each circuit judge is required to subscribe to an oath which he files with the Secretary of State.¹ In 1835 the salary of the circuit judge was \$750 per annum.²

The Constitution of 1870 fixed the salary at \$3,000 until otherwise provided by law.³ The compensation of the judges has undergone many modifications over a period of time, the tendency being toward increases rather than decreases. Some of the recent changes have been: for judges elected from 1919 to 1925, \$6,400;⁴ for the period from 1925 to 1933, \$8,000;⁵ after the first Monday in June 1933 it was \$7,200;⁶ then in 1939 it was again increased to \$8,000.⁷ The salaries are paid from the state treasury.

The hearings of several of the election contests are held before this court. Jurisdiction is granted to the court to hear and determine contests of the election of judges of the Supreme Court, judges of the circuit court, and members of the State Board of Equalization; but no judge of the circuit court is allowed to sit upon the hearing of any case in which he is a party.⁸ The circuit court also hears and determines the election contests of some of the local and county offices. These include contests of judge of the county court, mayors of cities, president of the county board, presidents of villages, elections in reference to removal of county seats and in reference to any other subject which may be submitted to the vote of the people of the county. The circuit court has concurrent jurisdiction with the county court in cases of contested elections under the latter's jurisdiction.⁹

Included under the jurisdiction of the circuit court are also appeals from the Illinois Commerce Commission's rules, regulations, orders, or decisions. Such appeals may be taken to the circuit court serving Franklin County when the subject matter of the hearing is situated in this county. The appeal may be heard for the purpose of having the reasonableness or lawfulness of the rule, regulation, order, or decision inquired into and determined.¹⁰

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1. Const. 1870, Art. VI, sec. 12; L. 1933, p. 436.
 2. L. 1835, p. 167.
 3. Const. 1870, Art. VI, sec. 16.
 4. L. 1919, p. 553, 554.
 5. L. 1925, p. 400. L. 1931, p. 148.
 6. L. 1933, p. 321.
 7. L. 1937, p. 189, 606; effective in 1939.
 8. L. 1899, p. 152.
 9. L. 1871-72, p. 396; L. 1895, p. 170.
 10. L. 1921, p. 742, 743.

To expedite the handling of litigation, a branch circuit court may be held at the same time that the main or regular circuit court for Franklin County is in session. A branch court is held by any circuit judge of this circuit or by a judge of any other circuit called in for the purpose of hearing and deciding motions and settling the issues in any or all causes pending in the circuit court, and for the purpose of hearing chancery causes and cases at law which are pending in such court for that term. The presiding judge of the main circuit court assigns to the branch court as many of the law and chancery cases as the presiding judge of the branch court will possibly have time to hear.¹

Also, to aid in the speedy administration of justice, the judges, or the majority of them, may by an order entered of record in the office of the clerk of the circuit court, dispense with either or both the grand and petit juries for any term or part of term of the circuit court, and may designate what term or portion thereof shall be devoted to criminal business, and what term or portion thereof to civil business.²

Each of the three judges of the circuit court is authorized to appoint one official shorthand reporter. This appointee is required to be skilled in verbatim reporting and is not allowed to hold more than one such official appointment. The appointment is in writing and is required to be filed in the office of the auditor of public accounts. The reporter holds office until his appointment is revoked by the appointing judge or until the termination of the judge's term. When the official reporter is absent or disabled, the presiding judge may appoint any other competent reporter to act during such absence or disability. The substitute is paid for his services by the official reporter. The reporter causes full stenographic notes of the evidence in all trials before the court to be taken down and transcripts of the same to be correctly made if desired by either party to the suit, their attorneys, or the judge of the court. Each of the reporters receives and is paid out of the state treasury an annual salary of \$3,240. The salaries are paid out monthly on the warrant of the auditor of public accounts.³

The probation officer for adult probationers is an appointee of the circuit court.⁴ His services extend throughout the county. Courts exercising criminal or quasi-criminal jurisdiction are given power to release on probation, adult or juvenile offenders found guilty of committing certain specified offenses.⁵ In the performance of his prescribed

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1. L. 1873-74, p. 82,83; L. 1905, p. 146.
 2. L. 1835, p. 167,168; L. 1933, p. 441,442.
 3. Ibid., p. 463,464.
 4. L. 1911, p. 280.
 5. Ibid., p. 277.

Circuit Court

duties the probation officer principally serves the county and circuit courts. He is required to give bond as determined by the circuit court in a sum not exceeding \$5,000 and is subject to the rules of and removal by the appointing court.¹ Franklin County has two probation officers under the law of 1915, providing for one such officer for each fifty thousand, or fraction thereof, of population.²

The probation officer is compensated at a rate determined by the county board. In the performance of his duties, he is required to investigate the cases of defendants requesting probation; notify the court of previous conviction or probation; make reports to the respective courts; keep a set of records as described below; take charge of, and watch over all persons placed on probation in his county, and all probationers moving from another county into his county. He is also required to notify probation officers in other counties of any probationers under his supervision who may move into those counties.³

The reports made by the probation officer to the courts are kept by the clerk in the respective cases. The courts' probation records include orders granting or refusing release on probation, probationers' bonds, the reports of probation officers noted above, and discharge of probationers.

The probation officer is required to keep complete accurate records of investigated persons, the action of the court, and the subsequent history of probationers. These are not public records but are open to inspection by any judge or any probation officer pursuant to a court order.⁴

Unlike the judges of the circuit court who are elected by the judicial district electorate, the clerk of this court is elected by the county electorate.⁵ This official performs the ministerial duties of the circuit court of Franklin County and files and preserves its records as well as those of the branch circuit courts.⁶ He is commissioned by the Governor and before entering upon the duties of his office, gives bond with sureties which are approved by any two of the judges of the court. His bond is given in the sum of not less than \$5,000 as agreed upon by the judges. The oath to which he subscribes is filed with the Secretary of State.⁷ If a vacancy occurs in this office and the unexpired term does not exceed one year, the court is required to fill such vacancy by appointment of a clerk pro tempore. The appointee is then required to qualify for office in the

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1. L. 1911, p. 280,281; L. 1915, p. 380,381.
 2. Ibid., p. 380. School census to be basis for determining population.
 3. L. 1911, p. 281,282; L. 1915, p. 381,382.
 4. L. 1911, p. 277-84; L. 1915, p. 378-84.
 5. Const. 1848, Art. V, sec. 7,21,29; Const. 1870, Art. X, sec. 8.
 6. L. 1905, p. 147.
 7. R.S. 1874, p. 260.

same manner as the regularly elected clerk of the circuit court. When the appointment is made, the court notifies the Governor of the filled vacancy. The Governor in turn, as soon as practicable, issues a writ of election for the circuit court clerk.¹

Under the first constitution the clerk of the circuit court was required to be appointed by the circuit judge.² He kept a record of all the oaths that he administered and certified a copy annually to the Secretary of State.³ The clerk preserved a complete record of all proceedings and determinations of the court of which he was clerk.⁴ At each term of the circuit court, the clerk inquired into the condition and the treatment of prisoners and was required to see that all prisoners were humanely treated.⁵ This authority was in later years, and is at present, delegated to the circuit court.⁶ One of the early requisites of this office was for the clerk of the circuit court to reside near the county seat in order that he could attend to his duties daily. In the event that it were not possible for him to be in daily attendance, the presiding judge was to fill such vacancy.⁷ The Constitution of 1848 made the clerk of the circuit court an elective officer of the county with a four-year term. This arrangement has continued until the present.⁸

The clerk is able to perform the several duties of his office with the aid of his staff which consists of assistants and deputy clerks who are appointed by him in a number determined by rule of the circuit court.⁹ This order is entered as of record and the compensation of such assistants and deputies is set by the county board.¹⁰

Among the records kept by the clerk for the circuit court are the following:¹¹

1. Books of record of the proceedings and judgments of the court with alphabetical indexes by parties. Proceedings

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1. L. 1873-74, p. 95.
 2. Const. 1818, Art. IV, sec. 6; R.L. 1833, p. 152; R.S. 1845, p. 146.
 3. L. 1819, p. 349.
 4. R.L. 1829, p. 44; R.L. 1833, p. 152; R.S. 1845, p. 147.
 5. R.L. 1827, p. 248.
 6. R.S. 1874, p. 616; L. 1923, p. 424.
 7. R.L. 1829, p. 35.
 8. Const. 1848, Art. V, sec. 29; Const. 1870, Art. X, sec. 9.
 9. L. 1831, p. 49; Const. 1870, Art. X, sec. 9.
 10. Ibid.
 11. The Civil Practice Act of 1933 grants authority to the circuit court, subject to rules promulgated by the Supreme Court and not inconsistent with statutory requirements, to make such rules as they may deem expedient, regulating dockets and calendars of said court (L. 1933, p. 786).

Circuit Court

are recorded at length only in cases designated by law, or when the court at the motion and assumption of expense by one of the parties, so orders. In practice, from an early date the court record has been broken down into segregated types of proceedings and judgments.

2. "Plaintiff-Defendant Index to Court Records" and "Defendant-Plaintiff Index to Court Records," intended to be separate records, but frequently combined in a single volume with the two indexes segregated in each volume.
3. A general docket in which all suits are entered in the order they are commenced.
4. A judgment and execution docket containing a volume for the entry of satisfaction or other disposition. In practice, an execution docket is frequently set up independently.
5. Additional dockets, designated as the clerk's judge's and bar docket. In practice the bar docket has tended to drop out of use.
6. A fee book in which costs and fees are to be entered under the proper title of the case. In practice, separate series of volumes are maintained under such titles of causes.
7. Transcripts of proceedings in appeals from justices', city, and foreign courts, dockets thereof, and transcripts of judgments for liens, etc., from the former. Separate well-bound books are required to be kept for each city court. These books are to contain an alphabetical docket of all judgment decrees rendered in the city court. They also provide for entry of data relating to the filing of the transcript with the corresponding number of the transcript.¹
8. Naturalization proceedings from petitions to final certificates; Federal statutes allow the circuit court to exercise jurisdiction.
9. Reports to the court from its designated masters in chancery, the state's attorney, and the coroner's inquest juries.
10. Jury venires, summonses, certificates, etc.
11. Original documents used in court hearings and determinations. These documents are of particular importance because in a large number of cases the complete proceedings are not spread on court record.
12. Monthly reports of the warden of the county jail, containing a list of all prisoners in his custody, showing causes of commitment and names of persons by whom committed.²

1. R.S. 1874, p. 347; L. 1901, p. 136,137.

2. R.L. 1827, p. 217; R.S. 1845, p. 323-26,414,418,419,518; L. 1865, p. 79, 80; R.S. 1874, p. 262,263,339,616; L. 1895, p. 217; L. 1933, p. 442,678; 2 U.S. Stat. 153-55; U.S.R.S. 1789-1874, p. 378-80; 34 U.S. Stat. 596-607,709,710; 45 U.S. Stat. 1514,1515.

General Indexes

208. INDEX TO COURT RECORDS - PLAINTIFF AND DEFENDANT, 1842--.

28 v. (A-E, 1-9, plaintiff; A-E, 1-9, defendant).

Index to (Circuit Court Papers), entry 212; Court Files of Delinquent Corporations, entry 213; Circuit Court Records - Common Law, entry 214; Circuit Court Records - Chancery, entry 215; Circuit Court Records - Criminal Law, entry 216; Circuit Court Records, entry 217; Confession of Judgment in Vacation, entry 219; Miscellaneous File (Bonds), entry 249; Certiorari Bonds, entry 253. Arr. alph. by names of plaintiff and defendant. Hdw. under pr. hdgs. 600 p. 18 x 13 x 3. Cir. clk.'s south vlt., 1st fl.

209. INDEX TO JUDGMENTS (Decrees and Executions), 1863--.

3 v. (1-3).

Index to judgments, decrees, and executions recorded in (Circuit Court Papers), entry 212; Circuit Court Records - Common Law, entry 214; Circuit Court Records - Chancery, entry 215; Circuit Court Records, entry 217; Confession of Judgment in Vacation, entry 219; Judgment and Execution Docket, entry 235; and Judgment Docket, entry 237, showing names of plaintiff and defendant, date and amount of judgment, reference to book and page of entry, file box number, and date of satisfaction. Arr. alph. by name of person against whom judgment is entered. Hdw. under pr. hdgs. 575 p. 18 x 12 x 3. Cir. clk.'s south vlt., 1st fl.

210. INDEX TO DECREE OF DIVORCE RECORDS, 1870--. 1 v. (1).

Index to decrees of divorces as shown in (Circuit Court Papers), entry 212; Circuit Court Records - Chancery, entry 215; and Circuit Court Records, entry 217, showing names of plaintiff and defendant, reference to file box number, book and page of record, and dates of filing and recording. Arr. alph. by name of plaintiff. Hdw. under pr. hdgs. 600 p. 18 x 13 x 3. Cir. clk.'s south vlt., 1st fl.

211. INDEX TO COURT RECORDS - CRIMINAL, 1833--. 1 v. (1).

Index to criminal case files in (Circuit Court Papers), entry 212, and Circuit Court Records - Criminal Law, entry 216, showing name of defendant, type of charge, term of court, file box number, and book and page of entry. Arr. alph. by name of defendant. Hdw. under pr. hdgs. 500 p. 18 x 12 x 2 $\frac{1}{2}$. Cir. clk.'s south vlt., 1st fl.

Proceedings of Court

212. (CIRCUIT COURT FILERS), 1842--. 193 f.b. (1842--);
1 carton (1879-1927).

Original documents in criminal, common law, and chancery cases, including summonses, citations, petitions for attachments, affidavits of witnesses, writs of habeas corpus, instructions to jury, bills for divorce, indictments, pleas, grand jury venire, petit jury venire, defaults, judgments, mechanics' liens 1895--, personal liens, executions, recognizances bonds, and court orders. Also contains Transcripts from Industrial Commission

of Illinois in Certiorari, 1912-20, entry 221; Miscellaneous File (Bonds), 1842-1915, entry 249; Appeal Bonds, 1842-1915, entry 250; Receivers' Bonds, 1842-1915, entry 251; Certiorari Bonds, 1912-18, entry 253; and Coroner's Verdicts, 1842-1924, entry 266. Arr. by case no. For index, see entry 208; for sep. index to judgments, 1863--, see entry 209; for sep. index to divorce cases, 1870--, see entry 210; for sep. index to criminal papers, 1933--, see entry 211; for sep. index to coroner's verdicts, 1894-1924, see entry 265. Nature of recording varies. Carton 4 1/2 x 3 1/2 x 9 1/2; f.b. 5 x 8 x 10 - 10 x 5 x 29. 1 carton, 1879-1927, west wash rm., 1st fl.; 161 f.b., 1842-1930, cir. clk.'s south vlt., 1st fl.; 37 f.b., 1931--, cir. clk.'s off., 1st fl.

213. COURT FILES OF DELINQUENT CORPORATIONS, 1926. 4 f.b.
Files of papers concerning dissolved corporations, including summonses, certificate of mailing, notice of publication, and decree of the court. Arr. by case no. For index, see entry 208. Hdw. on pr. fm. 10 x 5 x 29. Cir. clk.'s south vlt., 1st fl.

214. CIRCUIT COURT RECORDS - COMMON LAW, 1871--. 16 v. (F-U).
1837-70 in Circuit Court Records, entry 217.
Record of common law cases, showing court term, case number, names of plaintiff, defendant, and attorneys, nature of action, and judgments and court orders. Also contains Circuit Court Records - Criminal Law, 1871-72, entry 216; Confession of Judgment in Vacation, 1871-1916, 1920--, entry 219; and Default Judgment Docket, 1903--, entry 238. Arr. by date of court orders. Indexed alph. by name of plaintiff; for sep. index, see entry 208; for sep. index to judgments, see entry 209. 1871-1917, hdw.; 1918--, typed. 625 p. 18 x 13 x 2 1/2. Cir. clk.'s south vlt., 1st fl.

215. CIRCUIT COURT RECORDS - CHANCERY, 1871--. 56 v. (F-Z, 1-35).
1837-70 in Circuit Court Records, entry 217.
Case records of chancery proceedings, showing date, term of court, names of plaintiff, defendant, and attorneys, number and type of case, decisions, and court orders. Arr. by date of case. For index, see entry 208; for sep. index to judgments, see entry 209; for sep. index to divorce records, see entry 210. 1871-1906, hdw.; 1907-27, typed and hdw.; 1928--, typed. 625 p. 18 x 13 x 3. Cir. clk.'s south vlt., 1st fl.

216. CIRCUIT COURT RECORDS - CRIMINAL LAW, 1873--. 8 v. (H-O).
1837-70 in Circuit Court Records, entry 217; 1871-72 in Circuit Court Records - Common Law, entry 214.
Record of criminal proceedings including probation and parole record, showing term date, names of defendant and attorneys, case number, nature of indictment, type of action, and court orders. Also contains Indictment Record, 1928--, entry 218, and Recognizance Record, 1898--, entry 254. Arr. by date of court orders. Indexed alph. by name of defendant; for sep. index, 1873-1932, see entry 208; for sep. index, 1933--, see entry 211. 1873-1907, hdw.; 1908--, typed. 500 p. 18 x 12 x 2 1/2. Cir. clk.'s south vlt., 1st fl.

(217-221)

Circuit Court -
Transcripts

217. CIRCUIT COURT RECORDS, 1837-70. 6 v. (C, 1837-45; C 1, B 1, B 2, C 2, D, 1837-70).

Record of common law, criminal, and chancery cases, including divorce cases, showing names of plaintiff, defendant, and attorneys, date, number, and type of case, court term, and orders of court. Circuit Court Records - Common Law, entry 214; Circuit Court Records - Chancery, entry 215; Circuit Court Records - Criminal Law, entry 216, subsequently kept separately. Arr. by date of case. Indexed alph. by names of plaintiff and defendant; for sep. index, 1842-70, see entry 208; for index to judgments, 1863-70, see entry 209; for index to decrees of divorce, 1870--, see entry 210. Hdw. 625 p. 18 x 13 x 3. Cir. clk.'s south vlt., 1st fl.

218. INDICTMENT RECORD, 1873-1927. 23 v. (A, 1 not lettered, C-S, 1873-1922; H, J, K, H, 1913-27). 1928-- in Circuit Court Records - Criminal Law, entry 216.

Record of grand jury indictments, showing name of defendant, jurors, witnesses, and state's attorney, nature of charge, date of hearing, and action of grand jury. Arr. by date of hearing. Indexed alph. by name of defendant. Hdw. on pr. fm. 450 p. 18 x 13 x 2 1/2. V. A, 1 not lettered, C-G, 1873-1912, jurors' north rm., 2nd fl.; v. H-S, 1913-22, cir. clk.'s east vlt., 1st fl.; v. H, J, K, H, 1913-27, east wash rm., 1st fl.

219. CONFESSION OF JUDGMENT IN VACATION, 1917-19. 1 v. 1871-1916, 1920-- in Circuit Court Records - Common Law, entry 214.

Record of confessions of judgments during court vacation, showing case number, names of plaintiff, defendant, and attorneys, date and amount of judgment, and judge's order of execution. Arr. by date of judgment. For indexes, see entries 208, 209. Hdw. on pr. fm. 580 p. 13 x 18 x 2. Cir. clk.'s south vlt., 1st fl.

Transcripts
(See also entries 159, 160)

220. JUSTICE TRANSCRIPT RECORD, 1845--. 4 v. (1 not lettered, A-C).
Missing: 1867-70.

Transcripts of justice of peace records, showing names of justice, plaintiff, defendant, constable, and circuit clerk, dates of summons, execution, and filing, and amounts of fees, costs, judgment, and satisfaction. Also contains Transcripts from Magistrates' Dockets, 1891--, entry 223. Arr. by date of filing of execution. Indexed alph. by name of plaintiff. 1845-66, hdw.; 1871--, hdw. on pr. fm. 170 - 260 p. 13 x 8 x 1 - 18 x 12 x 2 1/2. 1 v. not lettered, 1845-66, jurors' north rm., 2nd fl.; v. A, 1871-1907, east wash rm., 1st fl.; v. B, C, 1908--, cir. clk.'s south vlt., 1st fl.

221. TRANSCRIPTS FROM INDUSTRIAL COMMISSION OF ILLINOIS IN CERTIORARI, 1921--. 3 f.b. (ABC, DEF, GHI). 1912-20 in (Circuit Court Papers), entry 212.

Certiorari case transcripts of pleas, evidence, and proceedings returned to circuit clerk from the Industrial Commission, showing names of plaintiff, defendant, and attorneys, type of action, and date of filing. Arr. by date of filing. For index, 1921-31, see entry 222; 1932--, no index. Typed. 11 x 14 x 29. Cir. clk.'s south vlt., 1st fl.

222. CERTIORARI DOCKET (Index to Certiorari Papers), 1921-31. 1 v. Index to Transcripts from Industrial Commission of Illinois in Certiorari, entry 221, showing names of plaintiff and defendant, file box lettering, and date of filing. Arr. alph. by names of plaintiff and defendant. Hdw. under pr. hdgs. 75 p. 15 x 15 x 1. Cir. clk.'s south vlt., 1st fl.

223. TRANSCRIPTS FROM MAGISTRATES' DOCKETS, 1845-90. 1 v. 1891-- in Justice Transcript Record, entry 220.
Record of transcripts of judgments and proceedings of magistrate courts, showing names of magistrate, plaintiff, defendant, constable, and circuit clerk, amounts of fees, costs, and judgments, and dates of summonses, executions, and returns. Arr. by date of filing of execution. Indexed alph. by name of plaintiff. Hdw. 796 p. 18 x 12 x 3. Cir. clk.'s east vlt., 1st fl.

224. TRANSCRIPTS OF TRIAL PROCEEDINGS, 1911--. 93 v.
Transcripts of records in appeal cases, showing venire, officers of court, term date, names of plaintiff, defendant, witnesses, and attorneys, pleadings, transcripts of evidence, objections and exceptions to admissibility of evidence, overruling and sustaining orders, date and order of appeal, appeal bond, and clerk's certificate. Arr. by date of appeal. No index. Typed. 150 p. 14 x 9 x 2. Cir. clk.'s south vlt., 1st fl.

Dockets

225. TRANSFER DOCKETS - COMMON LAW, 1861--. 29 v. (A-V, X, 1861-1917; 1-6, 1915--). Title varies: Judges' Docket, v. A-V, X, 1861-1917. Judges' dockets of common law cases, showing names of plaintiff, defendant, attorneys, and judge, case number, type of action, orders of previous term, date and final order of court. Also contains Transfer Dockets - Appeal, 1861-1914, entry 226; Transfer Dockets - Chancery, 1861-1914, entry 227; Transfer Dockets - Criminal, 1861-1914, entry 228; Judges' Docket - Dissolution of Delinquent Corporations (State Cases), 1861-1914, entry 232; and Master's Docket, 1861-73, 1883-1914, entry 234. Arr. by case no. No index. Hdw. under pr. hdgs. 630 - 1000 p. 18 x 13 x 2 1/2 - 14 x 11 x 6. V. A-V, X, 1861-1917, cir. clk.'s east vlt., 1st fl.; v. 1-6, 1915--, cir. clk.'s south vlt., 1st fl.

226. TRANSFER DOCKETS - APPEAL, 1915--. 2 v. (1, 2). 1861-1914 in Transfer Dockets - Common Law, entry 225.
Judges' dockets of appeal cases, showing names of plaintiff, defendant, attorneys, and judge, type of action, term date, orders of previous terms, date and final order of court. Arr. alph. by name of plaintiff. No index. Hdw. under pr. hdgs. 1000 p. 14 x 11 x 6. Cir. clk.'s south vlt., 1st fl.

(227-232)

Circuit Court -
Dockets

227. TRANSFER DOCKETS - CHANCERY, 1915--. 6 v. (1-6). 1861-1914 in Transfer Dockets - Common Law, entry 225.

Judges' dockets of chancery cases, showing names of plaintiff, defendant, attorneys, and judge, type of action, term date, orders of previous terms, date and final order of court. Also contains Master's Docket, 1915--, entry 234; Judges' Docket - Dissolution of Delinquent Corporations (State Cases), 1915-25, 1929--, entry 232. Arr. alph. by name of plaintiff. No index. Hdw. under pr. hdgs. 1000 p. 14 x 11 x 6. Cir. clk.'s south vlt., 1st fl.

228. TRANSFER DOCKETS - CRIMINAL, 1915--. 3 v. (1-3). 1861-1914 in Transfer Dockets - Common Law, entry 225.

Judges' dockets of criminal cases, showing names of defendant, attorneys, and judge, type of action, term date, orders of previous terms, date and final order of court. Arr. alph. by name of defendant. No index. Hdw. under pr. hdgs. 1000 p. 14 x 11 x 6. Cir. clk.'s south vlt., 1st fl.

229. BAR DOCKET, 1868--. 24 v. Missing: 1872-76, 1880-83, 1892-1900, 1906-24.

Docket of common law, criminal, and chancery cases, showing date of hearing, nature of action, and names of plaintiff, defendant, and attorneys. Arr. alph. by type of case. No index. 1868-1905, hdw.; 1925--, typed. 50 p. 6 x 4 x 1/2. 2 v., 1868-71, 1877-79, west wash rm., 1st fl.; 2 v., 1884-91, 1901-5, attic; 20 v., 1925--, cir. clk.'s south vlt., 1st fl.

230. LIEN RECORDS (Docket), 1887--. 2 v. (1, 2).

Docket of mechanics' liens, showing date and number of lien, names of persons against whom lien is filed, legal description of property charged with lien, nature and amounts of claims and fees, degree of satisfaction, and remarks. Arr. by date of lien. Indexed alph. by name of plaintiff. Hdw. under pr. hdgs. 315 p. 18 x 12 x 2 1/2. Cir. clk.'s east vlt., 1st fl.

231. CLERK'S DOCKET, 1861-1918. 15 v. (C, D, G-I, 1861-83; B, 1879-87; A, K, 1, 2, H, J, K, 1880-1918; C, 1881-83; J, 1918). Missing: 1870-74, 1896, 1901-8.

Clerk's dockets of common law, criminal, and chancery cases, showing names of plaintiff, defendant, attorneys, and clerk, case number, type of action, orders of previous terms, date and final order of court. Arr. by case no. Indexed alph. by name of plaintiff. Hdw. under pr. hdgs. 300 p. 18 x 13 x 1 1/2. Cir. clk.'s east vlt., 1st fl.

232. JUDGES' DOCKET - DISSOLUTION OF DELINQUENT CORPORATIONS (State Cases), 1926-28. 1 v. 1861-1914 in Transfer Dockets - Common Law, entry 225; 1915-25, 1929 in Transfer Dockets - Chancery, entry 227.

Judges' docket of state's cases of dissolution of delinquent corporations, showing term date, names of attorneys and corporation, type of action, and minutes of court. Arr. by case no. Indexed alph. by name of corporation. Hdw. under pr. hdgs. 300 p. 14 x 12 x 2. Cir. clk.'s south vlt., 1st fl.

233. CIRCUIT CLERK'S ISSUE DOCKET, 1859-92. 2 v. (1 not numbered, 2). Docket of Circuit Court papers issued, showing names of plaintiff and defendant, type of action, date and to whom issued, dates of service and return, and sheriff's remarks. Arr. by date of service. No index. Hdw. under pr. hdgs. 160 p. 16 x 10 x 1. 1 v. not numbered, 1859-80, jurors' north rm., 2nd fl.; v. 2, 1881-92, cir. clk.'s east vlt., 1st fl.

234. MASTER'S DOCKET, 1874-82. 1 v. 1861-73, 1883-1914 in Transfer Dockets - Common Law, entry 225; 1915-- in Transfer Dockets - Chancery, entry 227.

Master's in chancery docket showing names of plaintiff, defendant, and attorneys, nature of suit, dates of decree, sale, and certificate of purchase, terms of sale, legal description of property, total amount of debt, interests, and costs, and names of purchaser and redeemer. Arr. by date of decree. Indexed alph. by name of plaintiff. Hdw. under pr. hdgs. 320 p. 17 x 15 x 2 1/2. Cir. clk.'s east vlt., 1st fl.

235. JUDGMENT AND EXECUTION DOCKET, 1875--. 7 v. (C-I).

Docket of judgments, decrees, and executions in common law and chancery cases, showing names of plaintiff and defendant, in whose favor judgment or decree entered, amounts of damages and costs, dates execution issued and returned, and nature of satisfaction. Execution Docket, entry 236, and Judgment Docket, entry 237, formerly kept separately. Arr. alph. by name of person against whom judgment of decree was entered. For index, see entry 209. Hdw. on pr. fm. 320 p. 18 x 13 x 2 1/2. Cir. clk.'s south vlt., 1st fl.

236. EXECUTION DOCKET, 1836-74. 2 v. (A, B). 1875-- in Judgment and Execution Docket, entry 235.

Docket of executions on judgments, showing entry number, names of plaintiff and defendant, date of execution, amounts of damages and costs, fee book and page of entry, name of payee, date of return, and nature of satisfaction. Arr. by entry no. Indexed alph. by name of defendant. Hdw. under pr. hdgs. 320 p. 18 x 13 x 2 1/2. Cir. clk.'s south vlt., 1st fl.

237. JUDGMENT DOCKET, 1846-97. 3 v. (A-C). 1898-- in Judgment and Execution Docket, entry 235.

Docket of judgments entered, showing names of plaintiff, defendant, and attorneys, case number, date and amount of judgment, items of costs, dates of issue and return of execution, to whom delivered, and satisfaction. Arr. alph. by name of person against whom judgment was entered. For index, see entry 209. Hdw. under pr. hdgs. 320 p. 18 x 13 x 2 1/2. Cir. clk.'s south vlt., 1st fl.

238. DEFAULT JUDGMENT DOCKET, 1861-1902. 2 v. (D, G). Title varies: Record of Defaults, v. D, 1861-74. 1903-- in Circuit Court Records - Common Law, entry 214.

Docket of judgments by default, showing names of plaintiff and defendant, term date, and date and amount of judgment. Arr. by date of judgment. Indexed alph. by name of plaintiff. Hdw. on pr. fm. 624 p. 18 x 13 x 3. V. D, 1861-74, cir. clk.'s south vlt., 1st fl.; v. G, 1875-1902, jurors' north rm., 2nd fl.

Fee Books

239. FEE BOOKS - CHANCERY, 1917--. 13 v. (V, Y, Z, 1-10). 1836-1916 in Fee Books, entry 242.

Register of fees charged, collected, and disbursed in chancery cases, including witness fees, showing names of plaintiff, defendant, and payer, type of action, docket and case numbers, itemized amounts of costs and fees, and date of filing. Arr. by case no. Indexed alph. by name of plaintiff. Hdw. under pr. hdgs. 600 p. 18 x 13 x 3. Cir. clk.'s south vlt., 1st fl.

240. FEE BOOKS - CRIMINAL, 1921--. 11 v. (T, 1-10). 1836-1920 in Fee Books, entry 242.

Register of fees charged, collected, and disbursed in criminal cases, including witness fees, showing term date, case number, names of defendant and payer, nature of action, itemized accounts of costs and clerk's fees, total amounts of fees collected and expended, and date of filing. Arr. by case no. Indexed alph. by name of defendant. Hdw. under pr. hdgs. 600 p. 18 x 13 x 3. Cir. clk.'s south vlt., 1st fl.

241. FEE BOOKS - COMMON LAW, 1923--. 10 v. (1-10). 1836-1922 in Fee Books, entry 242.

Register of fees charged, collected, and disbursed in common law cases, including witness fees, showing case number, names of plaintiff, defendant, and payer, type of action, itemized amounts of costs and clerk's fees, and dates of court term and filing. Also contains Default Fee Book, entry 243. Arr. by case no. Indexed alph. by name of plaintiff. Hdw. under pr. hdgs. 600 p. 18 x 13 x 3. Cir. clk.'s south vlt., 1st fl.

242. FEE BOOKS, 1836-1922. 23 v. (2 not lettered, B, E-T, W, 1836-1921; X-Z, 1917-22). Missing: 1853-59.

Register of fees charged, collected, and disbursed in circuit court cases, showing case number, date of court term, names of plaintiff and defendant, nature of action, itemized account of costs and clerk's fees, total amounts of fees received and expended, and date of filing. Fee Books - Chancery, entry 239; Fee Books - Criminal, entry 240; Fee Books - Common Law, entry 241, including Default Fee Book, entry 243, subsequently kept separately. Arr. by case no. Indexed alph. by names of plaintiff and defendant. Hdw. under pr. hdgs. 600 p. 18 x 13 x 3. 2 v. not labeled, v. B, 1836-52, west wash rm., 1st fl.; v. E-T, 1860-1915, cir. clk.'s east vlt., 1st fl.; v. W-Z, 1916-22, cir. clk.'s south vlt., 1st fl.

243. DEFAULT FEE BOOK, 1861-69. 1 v. 1836-60, 1870-1922 in Fee Books, entry 242; 1923-- in Fee Book - Common Law, entry 241.

Register of fees in default cases, showing docket number, names of plaintiff, defendant, and payer, type of action, itemized amounts of costs and clerk's fees, and date of filing. Arr. by date of filing. Indexed alph. by name of plaintiff. Hdw. under pr. hdgs. 500 p. 17 x 12 x 2. Cir. clk.'s east vlt., 1st fl.

Reports to Court
(See also entries 265-267)

244. STATE'S ATTORNEY REPORT RECORD, 1878--. 2 v. (A, B).
Annual report record of state's attorney, showing case number, names of plaintiff, defendant, and state's attorney, court of conviction, amounts of fees, fines, and forfeitures collected, remarks, and acknowledgment. Arr. by date of report. Indexed alph. by name of state's attorney. Typed. 360 p. 18 x 12 x 1 1/2. Cir. clk.'s east vlt., 1st fl.

245. MASTER'S REPORT RECORD, 1878--. 10 v. (A-C, 1878-1921; B, 1901-25; D, 1912-32; E, 1918-27; F, 1922-34; G, 1927-33; H, 1930-35; I, 1934--). Title varies: Master in Chancery Miscellaneous Record, v. B, 1901-25; v. D, 1912-32; Master's Report of Foreclosure Record, v. E, G, 1918-33.
Record of reports of masters in chancery on foreclosures, sales, and redemptions, showing names of master in chancery, plaintiff, and defendant, legal description of property, date and amounts of sale and redemption, and dates of decree and filing. Arr. by date of filing. Indexed alph. by names of plaintiff and defendant. Hdw. and hdw. on pr. 600 p. 18 x 13 x 3. Cir. clk.'s south vlt., 1st fl.

Jury Records
(See also entries 1, 2, 10-13, 212, 266, 283)

246. JURY CERTIFICATES, 1870--. 28 v.
Stub records of certificates issued for jury service, showing names of jurors and circuit clerk, certificate number, days of service, mileage, and amount and date of payment. Arr. by certificate no. No index. Hdw. on pr. fm. 100 p. 11 x 11 x 1. 23 v., 1870-1917, east wash rm., 1st fl.; 5 v., 1918--, cir. clk.'s south vlt., 1st fl.

247. REGISTER OF JURORS, 1872-1903. 2 v. (1 not lettered, 1872-1902; B, 1878-1903).
Register of jurors' certificates, showing name of juror, days of service, mileage, amounts of fees earned, and date and signature of person receiving certificate. Also contains Witness Affidavits, 1872-79, entry 259. Arr. by certificate no. No index. Hdw. under pr. hdgs. 250 p. 16 x 11 x 1. Jurors' north rm., 2nd fl.

Bonds

248. INDEX TO BONDS, 1932--. 1 v.
Index to Miscellaneous File (Bonds), entry 249; Appeal Bonds, entry 250; Receivers' Bonds, entry 251; and Certiorari Bonds, entry 253, showing names of plaintiff and defendant, file box labeling, and date of filing. Arr. alph. by name of plaintiff. Hdw. 200 p. 11 x 8 x 1. Cir. clk.'s south vlt., 1st fl.

249. MISCELLANEOUS FILE (Bonds), 1916--. 1 f.b. (A). 1842-1915 in (Circuit Court Papers), entry 212.

Files of miscellaneous bonds, including recognizance, bail, attachment, peace, appeal, and receivers' bonds. Arr. by date of filing. For index, see entry 208; for additional index, 1932--, see entry 248. Hdw. on pr. fm. 10 x 5 x 14. Cir. clk.'s south vlt., 1st fl.

250. APPEAL BONDS, 1916--. 1 f.b. 1842-1915 in (Circuit Court Papers), entry 212.

File of appeal bonds, showing names of principal and sureties, date and amount of bond, signatures of bondsmen, and date of filing. Arr. by date of bond. 1916-31, no index; for index, 1932--, see entry 248. Hdw. on pr. fm. 10 x 5 x 14. Cir. clk.'s south vlt., 1st fl.

251. RECEIVERS' BONDS, 1916--. 1 f.b. (A). 1842-1915 in (Circuit Court Papers), entry 212.

Original bonds of receivers in suits of foreclosures and dissolutions of corporations, showing names of principal and sureties, date and amount of bond, and date of filing. Arr. alph. by name of principal. 1916-31, no index; for index, 1932--, see entry 248. Hdw. and typed on pr. fm. 10 x 5 x 14. Cir. clk.'s south vlt., 1st fl.

252. BAIL BOND RECORD, 1918-22. 1 v.

Copies of bail bonds, showing names of principal, bondsmen, sheriff, judge, circuit clerk, and court, amount of bond, date and place of trial, and date of filing. Arr. by date of filing. Indexed alph. by name of defendant. Hdw. on pr. fm. 574 p. 18 x 13 x 2 1/2. Cir. clk.'s east vlt., 1st fl.
For original bail bonds, see entry 249.

253. CERTIORARI BONDS, 1919--. 1 f.b. (A). 1912-18 in (Circuit Court Papers), entry 212.

Original certiorari bonds given by party appealing from industrial board as surety for court costs, showing names of principal and bondsmen, date and amount of bond, and date of filing. Arr. by date of filing. For index, see entry 208; for additional index, 1932--, see entry 248. Hdw. and typed on pr. fm. 10 x 5 x 14. Cir. clk.'s south vlt., 1st fl.

254. RECOGNIZANCE RECORD, 1869-97. 1 v. 1898-- in Circuit Court Records - Criminal Law, entry 216.

Record of recognizance bonds, showing names of defendant, sureties, and attorneys, type of case, nature of charge, date of appearance, and date and amount of bond. Arr. by date of bond. Indexed alph. by name of defendant. Hdw. on pr. fm. 575 p. 18 x 13 x 2 1/2. West wash rm., 1st fl.
For recognizance bonds, see entries 212, 249.

Naturalization
(See also entries 149, 169, 170)

255. DECLARATION OF INTENTION, 1907--. 32 v. (1-32).

Record of declarations of intention for naturalization, showing date, name, age, nativity, and address of alien, oath to renounce allegiance to foreign power, date and place of arrival, marital status, and signature of clerk. Arr. by date of filing declaration. Indexed alph. by name of alien. 1907-27, hdw. on pr. fm.; 1928--, typed on pr. fm. 100 p. 9 x 11 x 1. Cir. clk.'s east vlt., 1st fl.

256. PETITIONS FOR NATURALIZATION, 1906--. 32 v. (1-32).

Copies of petitions for and final certificates of naturalization, showing names of petitioner, witnesses, and judge, oath to renounce allegiance to foreign power, certificate of arrival, oath of allegiance, dates of arrival, petition and final certificate, and certificate and case numbers. Arr. by date of petition. Indexed alph. by name of petitioner. Hdw. and typed on pr. fm. 100 p. 18 x 14 x 1 1/2. Cir. clk.'s east vlt., 1st fl.

Office Transactions

Receipts and Expenditures

257. (JOURNAL), 1857--. 8 v. (3 not numbered, 3, 6, 3 not numbered).
Missing: 1862-96, 1900-1926, 1928-29, 1931-35.

Daily journal of fees collected and expended by circuit clerk's and recorder's office, showing date, amount, and purpose of receipt or expenditure, total amount of fees received and expended, and daily cash balance. Arr. by date of receipt or expenditure. No index. Hdw. under pr. hdgs. 100 p. 14 x 12 x 1/2. 3 v. not numbered, 1857-99, west wash rm., 1st fl.; v. 3, 1927, 6, 1930, 2 not numbered, 1936-37, cir. clk.'s south vlt., 1st fl.; 1 v. not numbered, 1938--, cir. clk.'s off., 1st fl.

258. CASH BOOK (Register), 1873--. 20 v. (4 not labeled, B, C, C-I, 1, 2, 2, 3, 3, 4, 6). Missing: 1889-94, 1907-9. Title varies: Receipts and Expenditures, 4 v. not lettered, v. B, C, C-I, 1873-1924.

Register of receipts and expenditures, showing date, amount, and purpose of receipt or expenditure, name of recipient or payer, fee book and page of entry, total amount of receipts and expenditures, and balance available. Also contains (Register of Recorder's Receipts and Expenditures), 1873--, entry 133. Arr. by date of receipt or expenditure. No index. Hdw. under pr. hdgs. 300 p. 17 x 15 x 1 1/2. 4 v. not labeled, v. B, C, C-I, 1, 2, 2, 1873-1932, cir. clk.'s east vlt., 1st fl.; v. 3, 3, 4, 6, 1933--, cir. clk.'s south vlt., 1st fl.

(259, 260)

Circuit Court - Office
Transactions

Court Business

259. WITNESS AFFIDAVITS, 1880--. 9 v. (8 not numbered, 1). 1872-79
in Register of Jurors, entry 247.

Copies of witness affidavits, showing date, names of affiant, plaintiff, and defendant, case number, title of cause, days of service, mileage, and total amounts of fees allowed. Arr. by date of affidavit. No index. Hdw. on pr. fm. 200 p. 17 x 11 x 1. 3 v. not numbered, 1880-95, west wash rm., 1st fl.; 5 v. not numbered, 1896-1929, v. 1, 1930--, cir. clk.'s south vlt., 1st fl.

260. ATTORNEYS' RECEIPTS, 1895-99. 1 v.

Register of receipts for court papers removed from court by attorneys, showing case number, name of attorney, type of document, and dates of taking and return. Arr. by date of removal from office. No index. Hdw. under pr. hdgs. 320 p. 16 x 11 x 1 1/2. Jurors' north rm., 2nd fl.

VII. SHERIFF

The sheriff in Franklin County prior to the admission of Illinois into the Union was an appointee of the territorial Governor.¹ By constitutional provision² this officer became elective in 1819 and has so remained to the present. The term of his office, originally set at two years,³ is now four years.⁴ In 1880 it was provided, by constitutional amendment, that no person elected to the office of sheriff should be eligible for re-election to that office until four years after the expiration of his term of office.⁵ His bond in this county is required in the sum of \$10,000 and must be approved by the county judge.⁶ Memoranda of this bond are entered at large upon the records of the county court, and the bond is filed in the office of the county clerk.⁷ One or more deputies are appointed by the sheriff in accordance with the number allowed by rule of the circuit court. Compensation of the deputies is determined by the county board.⁸ The sheriff is warden of the county jail and has custody and regulation of the same and of all prisoners. To assist him in this administration, he appoints a superintendent of the county jail for whose conduct he is responsible, and whom he may remove at pleasure.¹⁰

Essentially without change for over one hundred years, the principal duties of the sheriff are the following:

1. To act as conservator of the peace, with power to arrest offenders on view.¹¹

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1. John Reynolds, Pioneer History of Illinois p. 365.
 2. Const. of 1818, Art. III, sec. 11; Const. of 1848, Art. VII, sec. 7; Const. 1870, Art. X, sec. 8; second amendment November 22, 1880, to the Const. 1870, Art. X, sec. 8; also L. 1819, p. 109, 110; R.S. 1874, p. 989.
 3. Const. 1818, Art. III, sec. 11; Const. 1848, Art. VII, sec. 7.
 4. Const. 1870, Art. X, sec. 8.
 5. Ibid., sec. 8, as amended November, 1880.
 6. R.S. 1874, p. 989. Cf. R.L. 1827, p. 371. Prior to the organization of the county court, the sheriff's bond and securities were approved by the circuit court.
 7. R.S. 1845, p. 514; R.S. 1874, p. 989.
 8. R.L. 1827, p. 373; R.S. 1845, p. 515; L. 1869, p. 399; Const. 1870, Art. X, sec. 9.
 9. L. 1819, p. 111, 112; R.L. 1827, p. 247-50; L. 1831, p. 103, 104, 106; R.L. 1833, p. 574, 575; L. 1845, p. 8, 10, 19; R.S. 1845, p. 133, 134, 515-17; R.S. 1874, p. 616, 989-91; L. 1901, p. 137, 138; L. 1923, p. 423-26. The citations also include references to duties not included in the general outline noted above.
 10. L. 1923, p. 423.
 11. R.L. 1827, p. 372; R.S. 1845, p. 515; R.S. 1874, p. 990.

2. To attend, in person or by deputy, all courts of record (city, county, probate, circuit, and appellate courts) in his county, and to obey the orders and directions of the courts.¹
3. To serve, execute, and return all writs, warrants; process, orders, and decrees legally directed to him.²
4. To sell real or personal property by virtue of execution or other process.³
5. To send fingerprints of criminals to the State Bureau of Criminal Identification and Investigation.⁴

In the course of the sheriff's many detailed duties included in these broad provisions, the following records may be kept but do not appear in Franklin County:

1. Receipts of deliveries of prisoners in changes of venue.⁵
2. Copies of reports to the county court and circuit court.⁶
3. Reports of pawnbrokers on loans and articles pawned.⁷
4. Data of identification of criminals and stolen property.⁸

The following records may be kept and do appear:

1. Register of prisoners.⁹
2. "Book of Accounts"; including records of fees and disbursements.¹⁰
3. Docket of executions.
4. Process docket.

1. R.L. 1827, p. 372; R.S. 1845, p. 515; R.S. 1874, p. 690.
2. Ibid.
3. R.L. 1827, p. 334; L. 1838-39, p. 14-18, 20; R.S. 1845, p. 302, 306, 307; L. 1871-72, p. 505-7; R.S. 1874, p. 622, 623, 627-29.
4. L. 1931, p. 465.
5. R.S. 1874, p. 1096.
6. Ibid., p. 617; L. 1923, p. 424; L. 1933, p. 678.
7. L. 1909, p. 301.
8. L. 1931, p. 465.
9. R.S. 1874, p. 617; L. 1923, p. 424.
10. L. 1871-72, p. 450, 451; L. 1873-74, p. 104, 105.

Sheriff - Process; Jail
Records; Fees, Receipts
and Expenditures

(261-264)

Process

261. SHERIFF'S PROCESS DOCKET, 1866--. 8 v. (5 not numbered, 2-4).

Missing: 1910-23.

Docket of process services, showing names of plaintiff, defendant, and attorney, dates of receipt, service, and return, and amount of sheriff's fees. Arr. by date of receipt. No index. Hdw. on pr. fm. 436 p. 16 x 11 x 2. 5 v., 1866-1909, jurors' north rm., 2nd fl.; v. 2-4, 1924--, sh.'s off., 1st fl.

262. SHERIFF'S EXECUTION DOCKET, 1866--. 4 v. (B, D-F).

Sheriff's docket of executions, showing names of plaintiff, defendant, and plaintiff's attorney, amount and nature of judgment, dates of issue, return, and entry, amounts of cost, sheriff's fees, and damages. Arr. by date of entry. Indexed alph. by name of defendant. Hdw. on pr. fm. 550 p. 16 x 11 x 2. V. B, D, 1866-1922, east wash rm., 1st fl.; v. E, F, 1923--, sh.'s south rm., 1st fl.

Jail Records

263. JAIL REGISTER, 1874--. 4 v. (1 not numbered, 2-4).

Missing: 1880-1923.

Register of prisoners committed to county jail, showing name, age, residence, and physical description of prisoner, court of commitment, type of offense, date and length of sentence, and date of discharge. Arr. by date of sentence. No index. Hdw. under pr. hdgs. 250 p. 17 x 15 x 1. 1 v., 1874-79, attic; v. 2-4, 1924--, sh.'s south rm., 1st fl.

Fees, Receipts and Expenditures

264. CASH BOOK, 1884--. 8 v. (1-6, 1, 2). Missing: 1913-25.

Title varies: Sheriff's Register of Fees, v. 1, 5, 6, 1884-1912;
Daily Receipts, v. 1, 1926-30.

Sheriff's ledger of fees collected, showing date, name of payer, title of cause, date and type of service, and court costs and earnings. Arr. by date of collection. No index. Hdw. on pr. fm. 200 - 475 p. 13 x 10 x 2 - 18 x 12 x 2. V. 1, 1884-87, jurors' west rm., 2nd fl.; v. 2-4, 1888-1901, west wash rm., 1st fl.; v. 5, 6, 1902-12, east wash rm., 1st fl.; v. 1, 2, 1926--, sh.'s off., 1st fl.

VIII. CORONER

The coroner's office at the time Franklin County was organized was filled by an appointee of the territorial Governor.¹ This office was made a constitutional one by the first constitution.² The omission of coroner, however, from the county officers to be elected under the Constitution of 1848,³ gave rise to the question as to whether this second constitution had not abolished the office; and this in spite of the fact that its continuance was implied in another section,⁴ and that it contained a saving clause declaring all existing laws not inconsistent with it, as valid as if it had not been adopted.⁵ The legislature apparently attempted to cure the trouble,⁶ but the question was not finally settled until it reached the Supreme Court, which decided in favor of the continued existence of the office.⁷ The Constitution of 1870 again included a coroner in the list of county officers to be elected.⁸

The coroner is elected by the county electorate for a four-year term.⁹ After certification of his election by the county clerk, filing of his bond, and taking oath of office, he receives his commission from the Governor.¹⁰ The coroner's bond in this county is required in the sum of \$5,000 and must be approved by the county judge.¹¹ The inquest duties of this official have changed little over a period of more than a century. The coroner acts as a conservator of the peace with powers equal to those of sheriff in this respect and serves as a ministerial officer of the courts in the absence or disqualification of the sheriff; he also performs all the duties of the latter when the office is vacant.¹²

The most important function of the coroner is to hold inquests over the bodies of persons supposed to have come to their death by violence,

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1. Reynolds, Pioneer History of Illinois, p. 365.
 2. Const. 1818, Art. III, sec. 11.
 3. Const. 1848, Art. VII, sec. 7.
 4. Ibid., Schedule, sec. 14
 5. Ibid., Schedule, sec. 1.
 6. L. 1849, Second Sess., p. 7.
 7. Wood v. Blanchard, 19 Ill. 38.
 8. Const. 1870, Art. X, sec. 8.
 9. The office is constitutional and elective (Const. of 1818 Art. III, sec. 11; Const. of 1870, Art. X, sec. 8). The term, formerly two years, is now four years (second amendment, November 23, 1880, to Const. of 1870, Art. X, sec. 8).
 10. R.S. 1845, p. 514; R.S. 1874, p. 281.
 11. Ibid.
 12. L. 1819, p. 111, 160; L. 1821, p. 20-23; L. 1825, p. 63, 64; R.L. 1827, p. 246-50, . 372-75; R.S. 1845, p. 515, 517; R.S. 1874, p. 281, 282.

casualty, or other undue means. When notification of such death is received, the coroner proceeds to the body, takes charge of it, and summons a jury composed of six men from the vicinity in which the body was found. The jury is instructed to assemble at a stated time and place, to view the body and to inquire into the cause and manner of the death. If the inquest is continued and a vacancy should occur on the jury, the coroner is allowed to fill such vacancy.¹

To the custody of the clerk of the circuit court are returned the verdict of the jury, and such recognizances as may be given the coroner by witnesses whose testimony implicates any person as the unlawful slayer of the deceased.² In his office, the coroner files and preserves the record of such testimony.³ The coroner also keeps one record which he originates, the "inquest record." This record recapitulates all the data involved in the entire inquest procedure and includes an inventory and accounting of the personal property and money of the deceased.

Deputy coroners appointed by this official assist him in the performance of the duties of his office. The number of deputies is set by rule of the circuit court, and the compensation is determined by the county board of supervisors. The bond or securities of these assistants are taken by the coroner and the oath to which each subscribes is filed in the county clerk's office.⁴

265. INDEX TO CORONER'S PAPERS, 1894--. 1 v. (1). Index to coroner's verdicts contained in (Circuit Court Papers), entry 212, and Coroner's Verdicts, entry 266, showing dates of inquest and filing, name of deceased, and file box number. Arr. alph. by name of deceased. Hdw. under pr. hdgs. 250 p. 16 x 11 1/2 x 1 1/2. Cir. clk.'s east vlt., 1st fl.

266. CORONER'S VERDICTS, 1925--. 14 f.b. (A, A-M). 1842-1924 in (Circuit Court Papers), entry 212. Original papers of coroner's inquest proceedings, showing names of deceased, witnesses, and coroner, description of deceased, dates and places of death and inquest, autopsy report, jury venire and fees, transcripts of testimony, and inventory and disposition of personal effects. Arr. by date of inquest. For index, see entry 265. Hdw. on pr. fm. 10 x 5 x 13. Cir. clk.'s east vlt., 1st fl.

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1. L. 1821, p. 22-24; R.S. 1845, p. 517,518; R.S. 1874, p. 282-84; L. 1879, p. 82; L. 1907, p. 213; L. 1919, p. 403,404; L. 1931, p. 388,389.
 2. L. 1821, p. 24,25; R.S. 1845, p. 518; R.S. 1874, p. 283.
 3. L. 1869, p. 104,105; R.S. 1874, p. 283; L. 1907, p. 213,214; L. 1919, p. 293,294.
 4. Const. of 1870, Art. X, sec. 9; L. 1881, p. 63.

267. CORONER'S RECORD, 1879--. 9 v. (1-9).

Copies of coroner's inquests, containing same information as entry 266. Arr. by date of inquest. Indexed alph. by name of deceased. Hdw. on pr. fm. 300 p. 18 x 13 x 3. V. 1-8, 1879-1925, cir. clk.'s east vlt., 1st fl.; v. 9, 1926--, cor.'s residence, Ewing, Illinois.

IX. STATE'S ATTORNEY

When Franklin County was organized the functions of the office of state's attorney were performed by a circuit attorney.¹ In 1827 he was replaced by an officer "styled and called state's attorney."² In Franklin County this officer commenced and prosecuted in courts of record all actions in which the people of the state or county were concerned.³ The state's attorney was appointed by the Governor until 1835, when he became an official appointed by the General Assembly.⁴ This latter provision remained effective until 1848, when the state's attorney became an elective officer of the circuit district electorate.⁵ At this time his services also were expanded to include the newly created county court. Finally, the present constitution made the office elective in and for each county.⁶ Bond in the sum of \$5,000 has been required since 1872.⁷ From the creation of this office in the state until the present, the state's attorney has continued to receive his commission from the Governor for the tenure of his office.⁸ In 1827 his appointment was set at a four-year term;⁹ in 1835 his term was reduced to two years.¹⁰ Then, by provisions of the Constitution of 1848¹¹ the state's attorney's office became elective by the district electorate for a four-year term, the first term, however, being only for three years and ending in 1852. In Franklin County the state's attorney receives an annual salary of \$5,500 with an additional \$400 paid by the state. Statutory fee rates are allowed him for convictions on specified offenses and crimes before justices of the peace, police magistrates, county and circuit courts. Also, rates are established for preliminary examinations of defendants, for attendance at trials, and for appeals. These several fees and rates make up a county fund from which is paid his salary.¹²

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1. Laws of Illinois Territory 1817-18, p. 54. No change was made when Illinois became a state (L. 1819, p. 204; L. 1825, p. 178, 179).
 2. R.L. 1827, p. 79, 80.
 3. Ibid., p. 79, 80; L. 1835, p. 44; R.S. 1845, p. 76; R.S. 1874, p. 173, 174.
 4. L. 1835, p. 44.
 5. Const. 1848, Art. V, sec. 21.
 6. Const. 1870, Art. VI, sec. 23; R.S. 1874, p. 172.
 7. L. 1871-72, p. 189.
 8. R.S. 1833, p. 98; L. 1835, p. 44; Const. 1848, Art. V, sec. 28; Const. 1870, Art. VI, sec. 22; R.S. 1874, p. 172.
 9. R.L. 1827, p. 79, 80.
 10. L. 1835, p. 44.
 11. Art. V, sec. 21; effective in 1849.
 12. L. 1871-72, p. 422; L. 1873-74, p. 104, 105; L. 1909, p. 231-33; L. 1929, p. 474-76; L. 1937, p. 607.

The duties of the state's attorney are the following:

1. To commence and prosecute all actions, suits, indictments, and prosecutions, civil or criminal, in any court of record in his county in which the people of the state or county may be concerned.
2. To prosecute all forfeited bonds and recognizances and all actions and proceedings for the recovery of debts, revenues, moneys, fines, penalties, and forfeitures accruing to the state or his county, or to any school districts in his county; also to prosecute all suits in his county against railroads or transportation companies, which may be prosecuted in the name of the people of the State of Illinois.
3. To commence and prosecute all actions and proceedings brought by any county officer in his official capacity.
4. To defend all actions and proceedings brought against his county or against any county or state officer, in his official capacity, in his county.
5. To attend the examination of all persons brought before any judge on habeas corpus when the prosecution is in his county.
6. To attend before justices of the peace and prosecute charges of felony or misdemeanor for which the offender is required to be recognized and to appear before a court of record when it is within his power to do so.
7. To give his opinion without fee or reward, to any county officer or justice of the peace in his county upon any question of law relating to any criminal or other matter in which the people of the state or county may be concerned.
8. To assist the Attorney General whenever it may be necessary, and in cases of appeal or writ of error from his county to the Supreme Court, to which it is the duty of the Attorney General to attend, he shall, a reasonable time before the trial of such appeal or writ of error, furnish the Attorney General with a brief, showing the nature of the case and the questions involved.
9. To pay all moneys received by him in trust, without delay, to the officer who by law is entitled to their custody.
10. To perform such other and further duties as may from time to time be enjoined upon him by law.

11. To appear in all proceedings by collectors of taxes against delinquent tax payers for judgment to sell real estate, and to see that all the necessary preliminary steps have been legally taken to make the judgment legal and binding.¹
12. To enforce the collection of all fines, forfeitures, and penalties imposed or incurred in the courts of record in his county; and to report to the circuit court on the collection of these moneys.²

1. R.S. 1345, p. 76; R.S. 1874, p. 172-74.

2. L. 1909, p. 406; L. 1911-12, p. 39; L. 1929, p. 475.

X. SUPERVISOR OF ASSESSMENTS

The county supervisor of assessments with the aid of the township assessors in Franklin County, is responsible for the assessment of property upon which the township, district, county, state, and other taxes are levied. Principally, these officers annually revise the assessment of property, correct the same upon complaint, and quadrennially assess real and personal property.¹ Many statutory provisions have regulated this function in Franklin County. Early laws fixed the value of the several categories of real and personal property leaving to the assessing officer only limited discretion.²

Property assessments in Franklin County were first made by the county treasurer, an appointee of the territorial Governor.³ However, when Illinois became a state this officer was appointed by the county commissioners' court.⁴ From 1825 to 1827, when the sheriff acted as treasurer, a county assessor was appointed by this court.⁵ In 1827 the General Assembly reestablished the office of county treasurer, and the assessment function was resumed by that officer.⁶ The treasurer continued to act in this capacity until 1839 when the legislature provided for the appointment by the county commissioners' court of district assessors.⁷ The duty of property assessment reverted to the county treasurer again in 1844⁸ and continued to be vested in that office until 1872 when township organization was instituted in this county⁹ and assessments were made by township assessors elected one in each township annually.¹⁰

Between 1872 and 1885, Franklin County alternated its forms of county government between that of township organization and the county commis-

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1. L. 1871-72, p. 20-22; L. 1879, p. 243; L. 1881, p. 134; L. 1891, p. 187; L. 1898, p. 37, 40, 44; L. 1903, p. 295, 296; L. 1923, p. 491, 492, 504, 505; L. 1927, p. 713, 714; L. 1928, First Sp. Sess., p. 106; L. 1931-32, First Sp. Sess., p. 66.
 2. L. 1819, p. 313-19; L. 1825, p. 173; L. 1893, p. 4-6; L. 1840, p. 4; L. 1845, p. 6.
 3. Nathaniel Pope, ed., Laws of Territory of Illinois, II, 600-604.
 4. L. 1819, p. 315.
 5. L. 1825, p. 178.
 6. R.L. 1827, p. 330.
 7. L. 1839, p. 4.
 8. L. 1843, p. 231, 237; effective in 1844.
 9. Franklin County adopted township organization 1871, but the change did not become effective until 1872.
 10. L. 1849, p. 194, 205-8; L. 1851, p. 38, 54-57; L. 1853, p. 14, 15; L. 1855, p. 35, 37; L. 1871-72, p. 20-24.

sion form. When it was functioning under the commission form of government, assessments were made by the county treasurer acting as ex officio county assessor.¹ Between 1849 and 1898, the assessing officers in Franklin County received their assessment lists from, and reported assessments to, the county clerk.² In the latter year, the legislature provided that the county treasurer should be ex officio supervisor of assessments.³ From that date until the present, the township assessors have worked under the direction of, and reported the assessment of property to, the county treasurer, acting in this ex officio capacity. Every assessor is bonded in the sum of \$500. Bond for the supervisor of assessment is \$2,000 or such larger sum as the county board may determine.⁴

For other taxation records, see entries 1, 2, 36-59, 141, 142, 270-277, 303, 304.

268. TAX SCHEDULES OF RAILROADS, 1918--. 2 f.b. (1 not numbered, 331). 1890-1917 in County Court Papers, Miscellaneous (County Clerk's File), entry 94.

Schedules of taxable railroad property, showing date, name of railroad, description and assessed valuation of right of way, miles of track, valuation of rolling stock, equalized valuation, and total amount of assessment. Arr. by date of schedule. No index. Hdw. on pr. fm. 11 x 5 x 21. 1 f.b. not numbered, 1918-31, co. clk.'s east vlt., 1st fl.; f.b. 331, 1932--., co. clk.'s off., 1st fl.

269. CORPORATION TAX BOOK (Telephone and Telegraph), 1925--. 1 v. (1).

Schedules of taxes on telephone and telegraph company properties, showing name of company, legal description of property, tax spread, total tax, and date. Arr. by date of levy. No index. Hdw. under pr. hdgs. 300 p. 18 x 13 x 1 1/2. Co. clk.'s east vlt., 1st fl.

For telephone tax lists, 1898-1924, and telegraph tax lists, 1886-1924, see entry 39.

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1. L. 1873-74, p. 74. Franklin had commission government 1875-76, 1880-85.
 2. L. 1849, p. 121, 128; L. 1849, Second Sess., p. 38; L. 1853, p. 14, 17, 47, 49, 50; L. 1871-72, p. 19, 20, 22, 23.
 3. L. 1898, p. 36, 37.
 4. Ibid., p. 38, 39; L. 1923, p. 493, 494; L. 1927, p. 743, 744.

XI. BOARD OF REVIEW

The authority to assess, equalize, and review or revise the assessment of property, an important aspect of the revenue procedure, is exercised by the board of review.¹ Early legislation provided for appeals from assessments to the county commissioners' court. The court was empowered to review and revise assessments on real and personal property.² In 1849, the county court succeeded the county commissioners' court in Franklin County and appeals were made to that body.³ Between 1872 and 1885, Franklin County alternated between township organization and the county commission form of government. When operating under the latter, appeals were heard by the board of county commissioners.⁴ In 1872 when township organization was first instituted⁵ this jurisdiction was given to a board composed of the township supervisor, clerk, and assessor.⁶ The board of supervisors in their annual meeting examined the assessment rolls in the several towns to ascertain whether the valuations in one town bore just relation to the valuations in all other towns in the county, and were empowered to increase or diminish the aggregate valuation of real estate in any town accordingly. They could make whatever alterations they deemed necessary in the description of the lands of nonresidents, and were required to assess the value of any lands omitted by the assessor.⁷ In 1885 the duties of the board of supervisors with regard to assessments were the following:

1. To assess omitted property.
2. To review assessments upon complaint.
3. To hear and determine the application of any person assessed on property claimed to be exempt from taxation.
4. To ascertain whether the valuation in one town or district bore just relation to the valuation in all towns or districts in the county and adjust the assessments.⁸

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1. L. 1898, p. 46-49; L. 1915, p. 566-70; L. 1919, p. 727; L. 1923, p. 496-502; L. 1930, First Sp. Sess., p. 85-90; L. 1931-32, First Sp. Sess., p. 71, 75-78; L. 1935, p. 1163-66.
 2. L. 1839, p. 7; L. 1843, p. 237; L. 1845, p. 8; R.S. 1845, p. 441.
 3. L. 1849, p. 65.
 4. L. 1873-74, p. 74.
 5. Franklin County maintained township organization to 1875, when the commission form was instituted; the township plan came in again in 1876, lasting to 1880 when the commission form was reinstituted. Township government lastly was instituted in 1885.
 6. L. 1851, p. 56; L. 1871-72, p. 21,22,24,25.
 7. L. 1851, p. 57,58; L. 1871-72, p. 24,25.
 8. Ibid.

In 1898 this authority was transferred to the newly created board of review, composed of the chairman of the county board who became ex officio chairman of the board of review, the county clerk, and one citizen appointed by the county judge.¹ Since 1923 the board has consisted of the chairman of the county board as ex officio chairman of the board of review, and two citizens appointed by the county judge. The members of the board select their own clerk. The two citizen members are appointed alternately for a two-year term.²

Today, the board of review in Franklin County is required to assess taxable property omitted from the regular assessment, to review and correct assessments on property claimed to be incorrectly assessed, to increase or reduce the entire assessment if, in their opinion, it has not been made upon the proper basis, and to hear and determine the application of any person assessed on property claimed to be exempt from taxation, which application if successful must be approved by the tax commission to be final. If such application is not approved the owner may have the question of exemption determined by judgment or decree of court, and the board of review may correct any error or mistake (other than an error of judgment as to valuation), with the approval of the assessing authority, any time before judgment of the court.³

For other taxation records, see entries 1, 2, 36-59, 141, 142, 268, 269, 272-277.

270. BOARD OF REVIEW COMPLAINT DOCKET, 1899--. 2 v. (1,2).

Docket of tax complaints, showing date and number of complaint, name of complainant, legal description of property, amount of assessment, assessed valuation, and decision and orders of board. Also contains Minute Record Board of Review, 1899-1926, entry 271. Arr. by complaint no. No index. 1899-1926, hdw., and hdw. on pr. fm.; 1927--, hdw. on pr. fm. 350 p. 18 x 13 x 2. Co. clk.'s east vlt., 1st fl.

271. MINUTE RECORD BOARD OF REVIEW, 1927--. 1 v. (2). 1899-1926 in Board of Review Complaint Docket, entry 270.

Minutes of proceedings of board of review, showing date and place of meeting, names of members and complaintants, amounts of assessment and appraised valuation, and date of complaint. Arr. by date of meeting. No index. Hdw. 350 p. 18 x 13 x 2. Co. clk.'s east vlt., 1st fl.

1. L. 1898, p. 46.

2. L. 1923, p. 496,497; L. 1931-32, First Sp. Sess., p. 71-72.

3. L. 1898, p. 46-49; L. 1915, p. 566-70; L. 1919, p. 727; L. 1923, p. 496-502; L. 1930 First Sp. Sess., p. 85-90; L. 1931-32, First Sp. Sess., p. 70,71,75-78; L. 1935, p. 1163-66.

XII. COLLECTOR

Tax collections in Franklin County were first made by the sheriff, acting as ex officio county collector.¹ With the exception of five years, 1839 to 1844, when there existed a separate office of county collector filled by appointment by the county commissioners' court,² the sheriff continued to act in this capacity until 1872; in that year township organization was first instituted in this county,³ and tax collections became the joint responsibility of the townships and the county, with the county treasurer acting as ex officio county collector.⁴

Under this plan, town collectors, elected one in each township,⁵ made collections of resident property taxes,⁶ while nonresident and delinquent taxes were collected by the county treasurer.⁷ By the terms of an act of 1855 the town collectors were required to return their tax lists or books to the county collector who delivered them to the county clerk.⁸ This provision was changed in 1872 by an act of the General Assembly which provided that the county collector should make an annual sworn statement to the county clerk, showing the total amount of each kind of tax collected, the amount received from each town collector, and the amount collected by himself.⁹

Between 1872 and 1885 Franklin County alternated its form of county government between township organization and the county commission form; when it was functioning under the commission form of government tax collections were the responsibility of the sheriff acting as ex officio county collector.

In 1917 the legislature provided for the abolishment of the office of town collector in counties with fewer than one hundred thousand inhabitants, the county collector to be ex officio town collector in such counties.¹⁰

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1. Nathaniel Pope ed., Laws of the Territory of Illinois, II, 628; L. 1819, p. 316; L. 1821, p. 100; L. 1823, p. 80; R.L. 1827, p. 370, 374.
 2. L. 1838-39, p. 7.
 3. L. 1843, p. 234. Franklin County adopted township organization in 1871, but the change did not become effective until 1872.
 4. L. 1849, p. 194, 208-12; L. 1851, p. 38, 59-64; L. 1853, p. 67.
 5. L. 1849, p. 194; L. 1851, p. 38.
 6. L. 1849, p. 59.
 7. Ibid., p. 53.
 8. L. 1855, p. 37.
 9. L. 1871-72, p. 56, 57; L. 1873-74, p. 56; L. 1930, Sp. Sess., p. 66, 67; L. 1931, p. 756; L. 1931-32, First Sp. Sess., p. 112; L. 1933, p. 873, 921; L. 1933-34, Third Sp. Sess., p. 220; L. 1935, p. 1156, 1213; L. 1935-36, Fourth Sp. Sess., p. 69, 70.
 10. L. 1917, p. 793.

Collector

As Franklin County has not attained this population minimum,¹ the county collector has since 1917, made collections for the townships as well as for the county.²

The county collector is bonded in an amount determined upon by the county board in addition to that bond required of him as county treasurer.³ Under statutory provisions, he collects taxes for the state, county and other governmental agencies, and pays to the proper authorities the amount in his hands payable to them.⁴ He also settles annually with the county board.⁵ He prepares an annual list of delinquent property and files it with the county clerk,⁶ advertises his intention of applying for judgment for sale of delinquent lands and lots,⁷ and is required to attend, in person or by deputy, all tax sales resulting from this action.⁸ The county clerk, in person or by deputy, is also required to attend all tax sales.⁹ At such sales, the clerk and collector note and make entry of all tax sales and forfeitures to the state.¹⁰

The county collector is required to keep his records as collector of taxes separate from his records as county treasurer.¹¹ The records of the collector's office include duplicates of receipts issued to taxpayers, state auditor's and county clerk's certifications of the collector's settlements with them, duplicates of the collector's reports, delinquent property records, and tax sale and forfeiture records.

For other taxation records, see entries 1, 2, 36-59, 141, 142, 268-271, 303, 304.

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1. The population of Franklin County was 25,943 in 1910; 57,293 in 1920; and 59,442 in 1930 (Population Bulletin, p. 9). Figures for the 1940 census show the population to be 53,137.
 2. L. 1917, p. 793; L. 1925, p. 605; L. 1929, p. 774,775; L. 1931, p. 905-8; L. 1933, p. 1115,1116.
 3. L. 1871-72, p. 36; L. 1931, p. 748; L. 1931-32, First Sp. Sess., p. 85, 86; L. 1933-34, Third Sp. Sess., p. 225,226.
 4. L. 1871-72, p. 56-59; L. 1933, p. 922; L. 1935, p. 1156,1213; L. 1935-36, Fourth Sp. Sess., p. 68,69.
 5. L. 1871-72, p. 56; L. 1935, p. 1155,1156.
 6. L. 1898, p. 51; L. 1931, p. 759.
 7. L. 1871-72, p. 44; L. 1937, p. 1010.
 8. L. 1871-72, p. 48; L. 1930, First Sp. Sess., p. 64.
 9. L. 1871-72, p. 48.
 10. Ibid.; L. 1933, p. 886.
 11. L. 1917, p. 664,665; L. 1930, First Sp. Sess., p. 60-62; L. 1935, p. 1149-58.

(272-276)

Collector - Collection;
Settlement; Delinquent
Tax, Abatement

Collection

272. TAX RECEIPTS (Real Estate and Personal Property), 1903--.

234 v., 1903-31; 3 bdl., 1923--. Missing: 1912-14.

County collector's duplicate tax receipts showing name of taxpayer, date of levy, description of property, amounts paid and delinquent, interest, and advertising costs, and signature of payer. Arr. by date of levy.

No index. Hdw. on pr. fm. V. 300 p. 10 x 6 1/2 x 1 1/2; bdl.

5 x 1 1/2 x 2. 234 v., 1903-31, west wash rm., 1st fl.; 3 bdl., 1923--., treas.'s small vlt., 1st fl., Mercantile Bank Bldg.

273. COLLECTOR'S ACCOUNTS, 1879-1916. 3 v. (1 v., 1879-1916;

1 v., 1884-88; 1 v., 1899-1903).

Register of county collector's accounts with townships, showing name of collector, amount charged to each account, tax spread, amounts collected and delinquent, collectors' commissions, clerk's fees, and date of final settlement. Arr. by date of final settlement. No index. Hdw. under pr. hdgs. 250 p. 18 x 13 x 2. 2 v., 1879-1916, 1899-1903, west wash rm., 1st fl.; 1 v., 1884-88, attic.

Settlement

274. SETTLEMENT RECORD, 1919--. 8 v. (1 not labeled, B, 3-8). Title varies: Collector's Settlement Record, 1 v. not labeled, 1919-20; Settlement Ledger, v. B, 1921-22, 1870-1918 in Treasurer's Account Books, entry 278.

Register of county collector's settlements, showing name of collector, date and amount of collections, tax spread, and signature of county clerk. Arr. by date of settlement. No index. Hdw. under pr. hdgs. 600 p. 17 x 12 x 3. Treas.'s large vlt., 1st fl., Mercantile Bank Bldg.

Delinquent Tax, Abatement

275. ABATEMENT RECORD, 1909--. 9 v. (1-8, 1 not numbered); 1 bdl.

Copies of county collector's reports on delinquent and abated real and personal property taxes, showing name of owner, description of property, assessed and equalized values, tax spread, total tax, and cause of delinquency. Real estate arr. by twp. no.; personal property arr. alph. by name of person assessed. No index. Hdw. on pr. fm. 175 p.

18 x 12 x 1 1/2. V. 1-3, 1909-14, west wash rm., 1st fl.; v. 4-8, 1915-25, 1 not numbered, 1926, treas.'s small vlt., 1st fl.; 1 bdl., 1927--., treas.'s large vlt., 1st fl., Mercantile Bank Bldg.

276. TAX REDEMPTION CERTIFICATES, 1923--. 14 f.b.

Tax redemption certificates showing date, name of person redeeming property, legal description of property, amounts of delinquent tax, penalties, and costs, and book, page, and line of entry in collector's books. Arr. by certificate no. No index. Hdw. on pr. fm. 2 1/2 x 1 x 1. Treas.'s off., 1st fl., Mercantile Bank Bldg.

Collector - Delinquent
Tax, Abatement

(277)

277. STATEMENT OF DELINQUENT TAX FORFEITED TO STATE, 1921-30.
4 v. (1-4).

Detailed statement of property offered for sale and forfeited to state for delinquent taxes due to lack of bidders, showing date, amount of delinquent tax, value, and legal description and location of property. Arr. by sec., twp., and range nos. No index. Hdw. on pr. fm. 200 p. 17 x 15 x 2. Treas.'s small vlt., 1st fl., Mercantile Bank Bldg.

XIII. TREASURER

When Franklin County was organized the county treasurer was an appointee of the territorial Governor.¹ From 1819² to 1825 this officer was appointed by the county commissioners' court. However, in the latter year this office was abolished and the duties of the treasurer were assumed by the sheriff.³ From 1827, when the office was reestablished, to 1837, the county treasurer was appointed annually by the county commissioners' court.⁴ In the latter year the treasurer became and has continued to be an elective official.⁵ He is commissioned by the Governor for a four-year term.⁶ In 1845 the term was reduced to two years.⁷ The office was made constitutional in 1870 without change of term.⁸ Then in 1880 by constitutional amendment the term was lengthened to four years and it was further provided that no treasurer be eligible for reelection until four years after expiration of his term of office.⁹ The penal sum of the treasurer's bond is determined by the county board,¹⁰ and his securities are subject to its approval. Upon request of the treasurer, the board designates the bank in which the public funds are to be deposited.

In the performance of his duties, the treasurer receives the revenue of the county, has custody of its funds, and disburses them in accordance with orders of the county board or specific authorization by law. He is required to keep books of accounts of all funds received and disbursed by him, to maintain a register of county orders countersigned and paid, to report annually to the county board on the financial transactions of his office, and to settle his accounts with the board semiannually.¹¹ The last two requirements give rise to a number of segregated records of accounts beyond strict statutory requirements. In addition, reports are made to the treasurer by other county, district, public, and semipublic authorities in the process of transacting business with him, and finally

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1. Nathaniel Pope, ed., Laws of the Territory of Illinois, II, 600-604.
 2. L. 1819, p. 315.
 3. L. 1825, p. 173.
 4. R.L. 1827, p. 329; R.L. 1833, p. 515, 516.
 5. L. 1837, p. 49.
 6. Ibid.
 7. L. 1845, p. 28; L. 1851, p. 144.
 8. Const. of 1870, Art. X, sec. 8.
 9. Ibid., as amended November 1880.
 10. R.L. 1827, p. 329; R.S. 1874, p. 323. The bond is required to be filed in the office of the county clerk.
 11. L. 1837, p. 194, 195; L. 1843, p. 151; R.S. 1845, p. 137-39; L. 1861, p. 239, 240; R.S. 1874, p. 323, 324.

Treasurer - General
Accounts

(278-280)

a large number of records arise from the requirement for collectors of taxes to settle their accounts with the treasurer.¹

General Accounts
(See also entries 3-24)

Ledgers

278. TREASURER'S ACCOUNT BOOKS, 1869—. 7 v.
County treasurer's record of receipts and disbursements for various county funds, including non-high schools, 1917—, institute, 1833—, mothers' pension, 1914—, and heirship, 1913—, and also record of appropriations, 1869-1911, showing date, amount, and purpose of receipt or disbursement, name of payer or recipient, account credited or debited, total receipts and disbursements, and balance available. Also contains Settlement Record, 1870-1918, entry 274; Cash Receipts, 1869-1925, entry 280; and Treasurer's Fee Book (Report Record), 1869-1907, entry 290. Arr. by date of receipt or disbursement. Indexed alph. by title of fund. Hdw. under pr. hdgs. 500 p. 18 x 13 x 2. 1 v., 1869-74, west wash rm., 1st fl.; 6 v., 1875—, treas.'s large vlt., 1st fl., Mercantile Bank Bldg.

279. BUDGET RECORD, 1912—. 7 v. (1-6, 1 not numbered). Title varies: Annual Appropriation Register of County Countersigned and Jury Certificates, v. 1-6, 1912-32.
Appropriation ledger showing date and amount of appropriation, name of fund, date, number, amount, and purpose of order, and name of recipient. Arr. by date of certificate. 1912-19, no index; 1920—, indexed alph. by name of fund. Hdw. under pr. hdgs. 400 p. 18 x 13 x 2. V. 1, 1912-19, west wash rm., 1st fl.; v. 2-6, 1920-32, treas.'s small vlt., 1st fl., Mercantile Bank Bldg.; 1 v. not numbered, 1933—, treas.'s large vlt., 1st fl., Mercantile Bank Bldg.

Cash Books

280. CASH RECEIPTS, 1926—. 1 v. (1). 1869-1925 in Treasurer's Account Books, entry 278.
Record of monthly cash receipts for various county funds, including mothers' pension, office expenses, state-aid highway, and state's attorney's funds, showing amount of original appropriation, date of entry, total receipts and disbursements for month, and balance available. Arr. by date of receipt or disbursement. No index. Hdw. on pr. fm. 600 p. 20 x 15 x 3. Treas.'s large vlt., 1st fl., Mercantile Bank Bldg.

1. R.L. 1827, p. 330-33; L. 1839, p. 8-10; L. 1845, p. 11; L. 1895, p. 304; L. 1913, p. 516; L. 1933, p. 898.

(281-287)

Treasurer - General
Accounts

281. DAILY CASH FLOTTER (Daily Cash Balances), 1934--. 1 v.
Daily record of all cash received by treasurer, showing date, amount, and purpose of payment, name of payer, fund credited, receipt number, and total amount of cash collected. Arr. by receipt no. No index. Hdw. on pr. fm. 200 p. 14 x 11 x 1. Treas.'s large vlt., 1st fl., Mercantile Bank Bldg.

County Orders

282. REGISTER OF COUNTY ORDERS COUNTERSIGNED, 1847--. 7 v. Missing: 1860-69. Title varies: Register of County Orders, 2 v., 1870-1913; County Treasurer's Book, 1 v., 1847-59.
Register of cancelled county orders, showing date, amount, and number of order, and name of recipient. Also contains Register of Jury Certificates, 1847-1913, entry 283; Register of Mothers' Pension Orders Countersigned, 1919-25, entry 284; Cancelled Warrant Register (Motor Fuel Tax), 1932-35, entry 286; Register of State-Aid Orders, 1934--, entry 287. Arr. by order no. No index. 1847-59, hdw.; 1870--, hdw. under pr. hdgs. 200 - 450 p. 13 x 8 x 2 - 16 x 12 x 2. 3 v., 1847-1913, attic; 4 v., 1914--, treas.'s large vlt., 1st fl., Mercantile Bank Bldg.
283. REGISTER OF JURY CERTIFICATES, 1914--. 4 v. (2-5). 1847-1913 in Register of County Orders Countersigned, entry 282.
Register of cancelled jury certificates, showing date, number, and amount of warrant, name of recipient, and date of cancellation. Arr. by date of cancellation. No index. Hdw. under pr. hdgs. 250 p. 16 x 12 x 2. Treas.'s large vlt., 1st fl., Mercantile Bank Bldg.
284. REGISTER OF MOTHERS' PENSION ORDERS COUNTERSIGNED, 1926--. 2 v. 1919-25 in Register of County Orders Countersigned, entry 282.
Register of mothers' pension orders countersigned, showing date, number, and amount of order, name of recipient, and date of cancellation. Arr. by order no. No index. Hdw. under pr. hdgs. 250 p. 16 x 12 x 2. Treas.'s large vlt., 1st fl., Mercantile Bank Bldg.
285. COUNTY HIGHWAY WARRANT REGISTER, 1934--. 1 v.
Register of motor fuel tax warrants, showing date, number, amount, and purpose of claim, name of recipient, and date of cancellation. Arr. by warrant no. No index. Hdw. under pr. hdgs. 225 p. 14 x 13 x 1. Treas.'s large vlt., 1st fl., Mercantile Bank Bldg.
286. CANCELLED WARRANT REGISTER (Motor Fuel Tax), 1936--. 1 v. 1932-35 in Register of County Orders Countersigned, entry 282.
Register of cancelled motor fuel tax warrants, showing date, amount, and number of warrant, and name of recipient. Arr. by warrant no. No index. Hdw. under pr. hdgs. 200 p. 11 1/2 x 12 x 1. Treas.'s large vlt., 1st fl., Mercantile Bank Bldg.
287. REGISTER OF STATE-AID ORDERS, 1929-33. 2 v. 1934-- in Register of County Orders Countersigned, entry 282.
Register of cancelled state-aid road orders, showing date, number, amount, and purpose of order, name of recipient, and date of cancellation. Arr. by date of cancellation. No index. Hdw. under pr. hdgs. 250 p. 16 x 12 x 2. Treas.'s large vlt., 1st fl., Mercantile Bank Bldg.

Special Accounts

Highway (See also entries 8,
17, 19, 280, 285-287, 308,
309, 311, 312)

288. COUNTY MOTOR FUEL TAX ALLOTMENT RECORD, 1934--. 1 v.
Register of motor fuel tax allotments, showing date and amount requested
by county board, date, number, and amount of claim, explanation of al-
locations, amounts of receipts and disbursements, and balance available.
Arr. by date of allotment. No index. Hdw. under pr. hdgs. 200 p.
13 x 10 x 1. Treas.'s large vlt., 1st fl., Mercantile Bank Bldg.

Vital Statistics (See also
entries 11, 20, 93)

289. ACCOUNT BOOK BIRTHS AND DEATHS, 1902-3. 1 v.
Register of county treasurer's accounts with registrars of births and
deaths, showing number of births and deaths reported, name and address of
person making report, date and amount of money received, name of recipient,
and date of certification by county clerk. Arr. alph. by surname of child
or deceased. No index. Hdw. under pr. hdgs. 300 p. 16 x 12 x 1 1/2.
East wash rm., 1st fl.

Reports

290. TREASURER'S FEE BOOK (Report Record), 1908--. 1 v. 1869-1907
in Treasurer's Account Books, entry 278.
Register of county treasurer's semiannual expense report to board of
supervisors, showing date, amount, and purpose of receipt or disbursement,
total receipts and disbursements, and balance available. Arr. by date of
receipt or disbursement. No index. Hdw. under pr. hdgs. 159 p. 18 x
13 x 2. Treas.'s large vlt., 1st fl., Mercantile Bank Bldg.

XIV. SUPERINTENDENT OF SCHOOLS

The first county school official in Franklin County was the county school commissioner.¹ The principal duties of this officer, an appointee of the county commissioners' court, centered around the sale of school lands. His reports of these sales were made to the county commissioners' court and recorded by their clerk in a well-bound book kept for that purpose.² The school commissioner also reported to the county commissioners' court on his other transactions in regard to the school fund.³ Beginning, with the year 1841, the school commissioner was elected for a two-year term.⁴ In 1845 the office of county superintendent of schools was created as an ex officio office of the county school commissioners.⁵ For his ex officio duties as superintendent of schools, the commissioner received additional compensation for the days actually engaged in the performance of these duties.⁶ In 1865 the office of county superintendent of schools was established as an independent office, and had delegated to it the authority formerly vested in the county school commissioner.⁷

The superintendent of schools is now elected for a term of four years.⁸ Before entering upon his duties he must take and subscribe to an oath and execute a bond in the penal sum of not less than \$12,000 to be approved by the county board or by the judge and clerk of the county court.⁹ The superintendent's office serves as the central school administrative agency for the county. One or more of the several congressional townships comprise the several school districts. Within these administrative units are elected boards of trustees who have executive and financial responsibilities which come under the supervision of the county superintendent.¹⁰ The boards of trustees appoint their own treasurers who also act as clerks of the township (or school district) boards.¹¹

The superintendent makes quarterly and annual reports to the county board and also reports to the State Superintendent of Public Instruction,

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1. R.L. 1829, p. 150, 151.
 2. Ibid., p. 152, 153.
 3. L. 1831, p. 175.
 4. L. 1841, p. 261, 262.
 5. L. 1845, p. 54.
 6. L. 1849, p. 178.
 7. L. 1865, p. 112; L. 1871-72, p. 702; L. 1889, p. 312; L. 1909, p. 343.
 8. L. 1871-72, p. 702; L. 1909, p. 343; L. 1915, p. 628; L. 1923, p. 596.
 9. L. 1909, p. 345.
 10. L. 1847, p. 126; L. 1909, p. 350; L. 1929, p. 745.
 11. L. 1927, p. 843; L. 1929, p. 745.

Superintendent of Schools

the State Department of Public Health, the state fire marshal, and the state architect. His original duties are the following:

1. To sell township fund lands and issue certificates of purchase.
2. To examine the complete accounts of every township treasurer in his county and report irregularities to the township trustees.
3. To conduct a teachers' institute, hold quarterly examinations for teachers' certificates, and issue such.
4. To hold examinations for normal and university scholarships.
5. To visit the public schools in the county, observe methods of instruction, make recommendations to teachers, and advise school officers; to observe sanitary and safety conditions, and notify trustees and state authorities of unsatisfactory conditions; to inspect plans and specifications, and approve those meeting state regulations.¹

A noteworthy undertaking of the superintendent of schools is the annual teachers' institute. Pioneer legislation of 1869 provided that the school directors were to allow school teachers to attend the teachers' institute in their county without the loss of time or pay.² Twenty years later, the superintendent of schools was required to hold the institute annually.³ A fund was set up for this purpose which has continued to be made up of the fees received from applicants for teachers' certificates and from teachers' registration. Money from the fund is paid out only on the order of the superintendent to defray the expenses of the annual institute. When the fund exceeds the annual cost of the institute, the excess may be paid out for special meetings of teachers.⁴

The superintendent of schools keeps all his records in his office on the second floor of the Ward Building, Benton.

1. R.S. 1845, p. 498,499; L. 1847, p. 122; L. 1849, p. 156; L. 1853, p. 246,247; L. 1855, p. 66,67; L. 1861, p. 190,191; L. 1865, p. 119,120; L. 1909, p. 347-50; L. 1915, p. 636-38.
2. L. 1869, p. 394.
3. L. 1889, p. 312.
4. L. 1905, p. 385; L. 1931, p. 876.

(291-296)

Superintendent of Schools -
Accounts of School Funds;
Sale of School Lands; School
Districts

Accounts of School Funds
(See also entry 278)

291. DISTRIBUTION OF STATE SCHOOL FUNDS, 1883--. 3 v. Missing: 1924-26. Account book of school fund distributions, showing names of township, recipient, and treasurer, location of township, school district number, and date, amount, and purpose of receipts and disbursements. Arr. by date of receipt or disbursement. No index. Hdw. 200 p. 12 x 8 x 1.

292. NON-HIGH SCHOOL (Fund) RECORD, 1918--. 2 v. Ledger of receipts and disbursements of non-high school fund, showing balance at close of last fiscal year, date, amount, and purpose of receipts and disbursements, name of recipient or payor, date, number, and amount of order issued, total amounts of receipts and disbursements, and balance available. Arr. by date of receipt or disbursement. No index. Hdw. under pr. hdgs. 200 - 250 p. 9 x 11 x 1 - 12 x 18 x 1 1/2.

293. INSTITUTE FUND STUBS, 1923--. 9 v. Stubs of warrants issued against institute funds, showing number, amount, date, and purpose of warrants, and name of recipient. Arr. by warrant no. No index. Hdw. on pr. fm. 50 p. 2 x 4 x 1/2.

Sale of School Lands

293A. (SALE OF SCHOOL LANDS), 1850-53. In Supervisors' Record, entry 2. Record of sales of school lands, showing section, township, range, and districts numbers, date, place, and amount of sale, and name of purchaser.

School Districts

294. SCHOOL DISTRICT REPORT OF CLAIMS FOR STATE AID (Claims for State Aid), 1923--. 15 f.b. School claims for state aid, showing date, name and number of school district, general information, financial data, names of teachers, and budget. Arr. by date of claim. No index. Hdw. on pr. fm. 16 x 2 x 10.

295. CLAIMS FOR STATE AID (and School District Budget), 1923--. 1 v. Record of claims for state aid, showing name, number and assessed and equalized values of property in school district, date of report, number of teachers employed, average daily attendance of pupils, date, number, and total amount of claim, and date and amount distributed to township treasurer. Also contains Illinois School District Budget, 1927--, entry 296. Arr. by date of claim. No index. Hdw. on pr. fm. 300 p. 9 x 14 x 1.

296. ILLINOIS SCHOOL DISTRICT BUDGET, 1925-26. 1 v. 1927-- in Claims for State Aid (and School District Budget), entry 295. Record of school fund distributions to various school districts, showing name of township, district number, date, and total amount sent to township treasurer. Arr. by date of distribution. No index. Hdw. on pr. fm. 500 p. 12 x 14 x 2 1/2.

Superintendent of Schools -
Teachers' Records; Pupil
Records

(297-302)

297. (District) SCHOOL PLAT RECORD, 1881--. 1 v.
Political map of school districts, showing name of township, name, number,
location, legal description, and boundaries of each school district, date
of plat, and signature of superintendent of schools. Arr. by date of plat.
Indexed alph. by name of twp. Hand-drawn. 250 p. 18 x 13 x 1 1/2.

Teachers' Records

298. ILLINOIS TEACHERS PROFESSIONAL SERVICE RECORD, 1928--. 2 f.b.
Title varies: Teachers' Permanent Record, 1 f.b., 1928-30.
Teachers' permanent record showing name, age, and address of teacher, date,
number, and kind of certificate, educational qualifications, teaching
experience, salary, and amount contributed to teachers' pension and retire-
ment fund. Arr. alph. by name of teacher. No index. Hdw. on pr. fm.
6 x 11 x 14.

For prior and concurrent similar records in bound form, see entries
299, 300.

299. RECORD OF REGISTRATION OF TEACHERS' CERTIFICATES, 1923--. 3 v.
Record of teachers' certificates, showing date of registration or renewal,
name, age, and address of teacher, number and kind of certificates, amount
contributed to teachers' pension and retirement fund, and remarks. Arr. by
date of certificate. No index. Hdw. under pr. hdgs. 75 p. 12 x 16 x 1.

300. TEACHERS' DIRECTORY, 1923--. 8 v., 1 folder. Missing: 1903-22.
1889-1902 in Record of Teachers Employed, entry 301.
Register of teachers in Franklin County, showing name and address of
teacher, teaching experience, educational qualifications, location of
present position, salary, amounts contributed to teachers' pension and
retirement fund, grade and number of certificate, and date of school term.
Arr. by date of school term. No index. Typed. V. 25 p. 8 x 10 x 1/2;
folder 16 x 10 x 3.

301. RECORD OF TEACHERS EMPLOYED, 1889-1902. 1 v.
Teachers' employment record showing name and address, teaching experience,
salary, and name and number of school districts. Also contains Teachers'
Directory, 1889-1902, entry 300. Arr. by date of employment. No index.
Hdw. under pr. hdgs. 150 p. 18 x 13 x 1.

Pupil Records

302. NON-HIGH SCHOOL RECORD (Final Examination Record of Seventh and
Eighth Grade Pupils), 1915--. 3 v.
Register of pupils graduating from seventh and eighth grades, showing name,
address, and age of pupil, subjects examined, grades attained, name of
teacher, district number, and date of filing. Arr. by date of filing. No
index. Hdw. under pr. hdgs. 400 p. 17 x 12 x 2.

(303-307)

Superintendent of Schools -
Reports; Registers of
School Officers; School
Treasurers' Bonds

Reports

303. TRUSTEES' ANNUAL REPORT, 1883--. 660 pamphlets.

School trustees' annual reports, including township treasurers' financial reports and quarterly, semiannual, and annual reports of school officers, showing names of school trustees, teachers, and school, school census, district number, number of students enrolled, qualifications of teachers, income from taxes and other sources, and account of expenditures. Arr. by district and range nos. No index. Hdw. on pr. fm. 38 p. 15 x 10 x 1/2.

304. ANNUAL REPORTS OF COUNTY SUPERINTENDENT OF SCHOOLS, 1883--. 55 v.

Copies of school superintendent's annual report to state superintendent of public instruction, showing school census, enrollments, names, positions, and qualifications of teachers, promotion of health and attendance, tax levies, annual salaries of elementary and high school teachers, district, distributive, and township funds, receipts and expenditures, tuitions paid, exhibits, investments, general and financial report, number of one-room schools, and memoranda. Arr. by date of report and by subject thereunder. No index. Hdw. on pr. fm. 38 p. 15 x 10 x 1/2.

305. TEACHERS' PRELIMINARY REPORT, 1930--. 9 v.

Teachers' bimonthly and annual reports of pupils' classifications, standing, achievements, and attendance, showing name, age, and grade of work pursued by students, subjects studied, grades earned, general average, days attended, record of tardiness, name and address of parent or guardian, condition of school building and school library, district name and number, dates, and remarks. Arr. by district no. No index. Hdw. under pr, hdgs. 100 p. 9 x 16 x 1.

Registers of School Officers

306. REGISTER OF COUNTY SUPERINTENDENT MAGISTRATES (Miscellaneous Record), 1883--. 1 v.

Register of various school officials, showing name, address, and official title of school officer, length of term and date of election or appointment, also contains list of appointments of school election judges and clerks and notation of proceedings in establishing community high schools. This volume contains a discontinued register of persons authorized to celebrate marriages, 1883-1901. Arr. by date of entry. No index. Hdw. 200 p. 14 x 9 x 2.

School Treasurers' Bonds (See also entry 117)

307. TOWNSHIP TREASURERS' BOND, 1926--. 1 f.b.

School treasurers' bonds showing names of treasurer, township, school trustees, and sureties, date, amount, and obligations of bond, and date of filing. Arr. by date of filing. No index. Hdw. on pr. fm. 10 x 5 x 12.

XV. SUPERINTENDENT OF HIGHWAYS

From 1819 to 1849 the county commissioners' court exercised jurisdiction over roads and bridges in Franklin County.¹ The court was empowered to locate new roads, to divide the county into road districts, and to appoint a supervisor in each district.² The construction and maintenance of roads was effected by means of a labor tax levied on all able-bodied men between the ages of eighteen and fifty;³ however, in 1841 it was changed to twenty-one to fifty.⁴ It was the supervisor's duty to summon these men for work when road labor was needed.⁵

From 1849 to 1872 the county court in Franklin County had control and supervision of public roads and bridges. The substitution of this administrative body for the old county commissioners' court effected no material changes in the earlier setup. The system of road districts was retained and the work of superintending road construction and maintenance continued to be vested in district supervisors.⁶

In 1872, when township organization was first instituted in Franklin County, the care and superintendence of roads became the responsibility of the townships.⁷ Between 1872 and 1885 Franklin County alternated between township organization and the commission form of government. When operating under the latter form the supervision of highways, roads and bridges was vested in the board of county commissioners⁸ and the maintenance and superintendence was entrusted to three highway commissioners elected in each road district for a term of three years.⁹ Franklin County reinstituted township organization in 1885 which has continued to the present. Legislation enabling the adoption of this form of county government provided for the election in each township of a highway commissioner and as many overseers of highways as there were districts in the county. The commissioners at their annual meeting determined necessary action for establishing new roads and repairing, altering, or vacating old roads; the overseers of highways were then required to carry out the commissioners' instructions.¹⁰ This system of road control and maintenance continued until 1913.

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1. L. 1819, p. 175; R.L. 1827, p. 340; L. 1841, p. 233.
 2. L. 1819, p. 333; L. 1825, p. 130; R.L. 1827, p. 340,344; L. 1841, p. 233.
 3. L. 1819, p. 334; R.L. 1827, p. 341,342.
 4. L. 1841, p. 237.
 5. L. 1819, p. 334; R.L. 1827, p. 341,342; L. 1841, p. 238; L. 1847, p. 112.
 6. L. 1849, p. 65; L. 1851, p. 179.
 7. Ibid., p. 65; L. 1861, p. 246.
 8. L. 1873-74, p. 79.
 9. L. 1871-72, p. 679,680.
 10. L. 1861, p. 220,246-65.

when the office of superintendent of highways was first established.¹ The boards of highway commissioners which existed prior to that date have continued to function, but their powers are principally subordinated to those of the superintendent of highways.

The superintendent is appointed by the county board. The board submits a list of three to five candidates to the State Department of Public Works and Buildings, which department examines the candidates to determine the person best fitted for the office.² The successful candidate holds office for six years and is remunerated in a sum fixed by the county board.

The powers and duties of the superintendent of highways come under the rules and regulations of the Department of Public Works and Buildings. However, the superintendent is subject, upon hearing, to removal by the county board. The superintendent exercises supervision over township, county, and state-aid roads, and bridges, and culverts in his county and is required to perform such other duties as may be prescribed by the chief highway engineer of the state.³

His principal duties are as follows:

1. To prepare plans, specifications, and estimates for all bridges to be built by the county.
2. To supervise the construction and maintenance of county roads and bridges, and state-aid roads.
3. To inspect the highways and bridges in each town or district of his county at least once a year.
4. To advise and direct the highway commissioners in each town or district as to the best methods of repair, maintenance, and improvement of highways and bridges.
5. To approve any purchase in excess of \$200 for materials, machinery, or apparatus to be used in road construction in any town or district.⁴

He is required to keep the following records:

1. Records of contracts, purchases, and expenditures authorized by himself, the county board, or township commissioners.

1. L. 1913, p. 524.

2. L. 1921, p. 781; L. 1933, p. 961. From 1913 to 1917 the list was submitted to the State Highway Commission (L. 1913, p. 524). In 1917 this state agency was abolished, and its rights, powers, and duties were vested in the Department of Public Works and Buildings, created in the same year (L. 1917, p. 4,16,24).

3. L. 1921, p. 782; L. 1933, p. 961.

4. L. 1913, p. 523-26.

Superintendent of Highways-
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Records

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2. Maps, plats, blueprints, specifications, etcetera, arising from his supervision of roads and bridges, or the planning of new construction.
3. Accounts of the funds handled by his office.
4. Reports from other officers or bodies touching upon the affairs of his office; copies of his own reports on the administration of his office; related papers.¹

All of the records of the superintendent of highways are kept in his office on the second floor of the courthouse.

Construction and Maintenance Records

308. COUNTY HIGHWAY PAPERS, 1930--. 4 f.d.

Miscellaneous highway papers, including motor fuel tax expenditures, 1934--, plans, specifications, bids, proposals, blueprints, orders on state-aid road funds, payrolls, right of way deeds, CWA and PWA work files, and awards of contracts. Also contains State-Aid Orders, 1934--. entry 19. Arr. by date of document. No index. Typed under pr. hdgs. and hand-drawn. 12 x 10 x 24.

309. (MISCELLANEOUS LEDGER), 1936--. 11 v.

Miscellaneous account book of superintendent of highways, including:

- i. Claim register, showing expenditures for construction, maintenance, machinery, materials, equipment, garage operation, and stock, general accounts, and warrant reference.
- ii. County contract constructional accounts, showing date and number of claim, contract account for various items, cost, summary, state refunds, amount of appropriation, name and address of contractor and bonding company, and fund distribution.
- iii. County day labor construction costs, showing date and claim number, cost, summary and distribution, tax distribution, amount of appropriation, name of superintendent, and date work started and completed.
- iv. Motor fuel tax accounts, showing date and number of claim, cost of distribution for maintenance and road work, drains, ditches, bridges, culverts, markers, and safety signs, amount of appropriation, and tax distribution.
- v. Requisition and purchase orders, showing date and requisition number, commodity, quantity, estimated price, purchase order number, and authorization.

Arr. by date of transaction. No index. Hdw. under pr. hdgs. 400 p. 12 x 18 x 2.

1. L. 1913, p. 525.

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Superintendent of Highways -
Allotments and Claims; Warrants

310. STATE-AID ROADS, 1928--. 1 bdl. (840 plans and profiles). Plans and profiles of state-aid highways built with motor fuel taxes, showing location of road and description of boundaries. Author, Geo. H. Anderson, Herrin, Illinois. Civil engineer, publisher. No index. Blue-print. 1 in. to 100 ft, - 1 in. to 10 ft. 18 x 24 x 24.

Allotments and Claims
(See also entry 288)

311. MOTOR FUEL ALLOTMENT RECORD, 1934--. 1 v. Allotment record of motor fuel tax funds, showing date of allotment, receipt and claim numbers, amount of allotment to each fund, amounts received and disbursed, and balance available. Arr. by claim no. No index. Hdw. on pr. fm. 200 p. 13 x 10 x 1.

Warrants
(See also entries 8, 17, 19, 285-287)

312. WARRANT BOOK, 1934--. 1 v. Register of motor fuel tax warrants, showing date, number, amount, and purpose of warrant, name of recipient, and fund debited. Arr. by warrant no. No index. Hdw. under pr. hdgs. 250 p. 18 x 12 x 2.

XVI. SURVEYOR

The office of surveyor was established in the State Of Illinois in 1821; the incumbent was an appointee of the General Assembly.¹ During recess of the legislature, nominations were made by the county commissioners' court to the Governor.² From 1835 to 1936, the county surveyor was an elected officer of the county electorate.³ Since September, 1936 he has been an appointee of the county board.⁴ His appointment is for a four-year term. He takes and subscribes to an oath which is filed in the county clerk's office.

The surveyor is required by law to make all surveys within the bounds of his county that he may be called upon to make by the county board or interested persons. Such surveys include surveys of land of persons requesting the same, of additions or subdivisions, and marking of county lines. Few changes have been made in the original statutory requirements for the duties of this office. The surveyor may appoint one or more deputies. Any individual requesting a survey must employ his own chainmen, subject to the approval of the surveyor.

The surveyor is required by law to keep a well-bound book in which to record all surveys made by him, giving such information as the names of the persons whose land is surveyed and descriptive data of the survey. This record is required to be kept by the surveyor in the recorder's office. The surveyor also preserves his field notes and retains copies of plats.⁵

Records of the surveyor are kept in the recorder's office. See entry 128.

1. L. 1821, p. 62; R.L. 1829, p. 173; R.L. 1833, p. 591.

2. Ibid.

3. L. 1835, p. 61,166; R.S. 1845, p. 523; R.S. 1874, p. 456,1050; L. 1903, p. 349.

4. L. 1933, p. 1104; effective in 1936.

5. L. 1821, p. 63,64; R.L. 1829, p. 173; R.L. 1833, p. 591-93,599,600; L. 1845, p. 201; R.S. 1845, p. 524; R.S. 1874, p. 1050; L. 1885, p. 248; L. 1915, p. 575; L. 1933, p. 1104.

XVII. DEPARTMENT OF PUBLIC WELFARE

Matters relating to public assistance and welfare in the county are handled by the department of public welfare, which was established in 1937 as successor to the county commission of public welfare.¹ This department consists of the superintendent of public welfare and a staff selected by him in accordance with, and subject to, the approval of the State Department of Public Welfare.

The county board submits to the state department a list of five residents as candidates for the office of superintendent. An eligible list of these candidates is prepared by the state department by competitive examination and certified to the county board. The board in turn makes an order appointing one of the eligibles as superintendent of public welfare.²

The superintendent is charged with all the executive and administrative duties and responsibilities of the department of public welfare. He is subject to the rules and regulations of, and removal by, the state agency.³

This officer has power and it is his duty to:

1. Have charge and develop plans for the administration of old age assistance.
2. Investigate and study problems of assistance, correction, and general welfare within his county.
3. Cooperate with the State Department of Public Welfare in the operation of welfare plans and policies in his county.
4. Maintain such records and file such reports with the State Department of Public Welfare as that department may require.
5. Serve as agent and executive officer of the State Department of Public Welfare in the administration of all forms of public assistance administered by that department.⁴

All the records of the county department are subject to the inspection and supervision of the agents of this central authority.

1. L. 1935-36, First Sp. Sess., p. 70-73; L. 1937, p. 451.
2. Ibid., p. 451, 452.
3. Ibid., p. 452.
4. L. 1935-36, First Sp. Sess., p. 72; L. 1937, p. 452.

Federal legislation was enacted in 1935 to provide for the general welfare by establishing a system of Federal old age benefits. In order to participate in the benefits of this act,¹ the several states were required to submit plans for old age assistance. Illinois passed legislation complying with this act the same year.² Today, the Federal government pays to Illinois, one half of the sums expended on old age assistance.

The department of public welfare administers old age assistance and is subject to the rules and regulations of the state department.³ Upon receipt of an application the department makes an investigation of the case. In the course of the investigation the department is allowed to hold hearings and compel the attendance of witnesses and the production of papers and books.⁴

Old age assistance records and accounts are kept as prescribed by the state department. All applications and records in these matters are considered public records.⁵

313. (OLD AGE ASSISTANCE FILE), 1936--. 5 f.b.

Files of old age pension applications, rejections, awards, withdrawals, transfers, deceased cases, and case workers' statistical cards. Arr. alph. by name of applicant. For index, see entry 314. Hdw. and typed on pr. fm. 16 x 18 x 24. Old age assistance off., 5th fl., First National Bank Bldg.

314. MASTER INDEX, 1936--. 3 f.b.

Card index to (Old Age Assistance File), entry 313, showing name and address of applicant, number and date of application, and file box lettering. Arr. alph. by name of applicant. Typed on pr. fm. 3 x 5 x 12. Old age assistance off., 5th fl., First National Bank Bldg.

1. 49 U.S. Stat. 620.

2. L. 1935, p. 260.

3. Ibid., p. 259,260; L. 1935-36; First Sp. Sess., p. 54,55;
L. 1937, p. 265.

4. L. 1935-36, First Sp. Sess., p. 57-59; L. 1937, p. 267,268.

5. Ibid., p. 268,269.

XVIII. COUNTY HOME

One phase of public assistance is administered by the county home. All county poorhouses, poor farms, and institutions for the support and care of indigents in Illinois are known as county homes.¹ County poorhouses and farms have existed in this state under statutory provisions for nearly a century. The legislation creating these county establishments for the indigent has changed little since the original enactments. The county boards of the various counties may establish a county home, and are granted the following powers:

1. To acquire by purchase, grant, gift, or devise, a suitable tract or tracts upon which to erect and maintain a county poorhouse and other necessary buildings, and for the establishment and maintenance of a farm for the employment of the poor.
2. To receive gifts and bequests to aid in the erection and maintenance of the poorhouse, or in the care of the indigents.
3. To make rules and regulations for the same.
4. To appoint a keeper of the poorhouse and all necessary agents and servants for the management and control of the poorhouse and farm, and to prescribe their compensation and duties.
5. To appoint a county physician and prescribe his compensation and duties.
6. To appoint an agent to have the general supervision and charge of all matters in relation to the care and support of the poor, and to prescribe his compensation and duties.
7. To make the necessary appropriations for the erection and maintenance of the county home.²

Records of the county home are prepared and kept by the keeper (superintendent) of the home. He is required to keep an account showing the name of each person admitted to the county poorhouse, the time of his admission and discharge, the place of his birth, and the cause of his dependency. He is also required, at the same time each year, to file with the county clerk of his county a copy of this record together with a statement showing the average number of persons kept in the poorhouse each month during the year.³

1. L. 1919, p. 699; L. 1935, p. 1058.

2. L. 1839, p. 139; R.S. 1845, p. 404,405; L. 1861, p. 180; R.S. 1874, p. 757; L. 1917, p. 633,639; L. 1919, p. 696,699; L. 1935, p. 1057, 1058.

3. R.S. 1874, p. 758.

315. ALMSHOUSE RECORD (Register), 1921--. 1 v.

Register of inmates in county home, showing name, age, sex, marital status, and last residence of inmate, physical and mental condition, names of relatives and conservator or guardian, and date of admission. Arr. by date of admission. Indexed alph. by name of inmate. Hdw. under pr. hdgs. 600 p. 18 x 18 x 3. South rm. of co. home, 1st fl.

XIX. MINE INSPECTOR

legislation in regard to health and safety in the mining industry originally made the county surveyor ex-officio inspector of mines.¹ As such inspector he was to be assisted by a practical miner, to act under oath, and to receive a salary fixed by the county board and paid out of the county treasury. His duties were to see that safety measures were observed in the mines and to collect facts relative to coal mining and mining land. The inspector reported to the Governor annually on the condition of mines in regard to safety and ventilation and the result of examination of causes of accidents.

In 1877 the legislature authorized the county board, in each county in which mining is carried on, to appoint an inspector of mines.² This county inspector, who had to give evidence of practical mining experience, was required to take an oath of office, and to furnish a bond to the county board in an amount fixed by the latter body. The amount of the bond was fixed in 1879 at not less than \$1,000 nor more than \$3,000.³ Where a competent inspector was not appointed, or where the inspector did not properly perform his duties, then the circuit judge, at the request of ten citizens of the county, and upon proper proof of incompetency, was empowered to remove the inspector and appoint a properly qualified person to act during the unexpired term.⁴

The State Mining Board was created in 1899, and the state divided into seven inspection districts, with a State Inspector of Mines in each.⁵ The county also was fitted into this new organization with the requirement that the county board appoint a county inspector of mines upon the written request of the State Inspector for the district in which the particular county was located.⁶ The intention of the legislature to maintain centralization of mine inspection was indicated by this statute which made the county inspector an assistant to the State Inspector. In accordance with this act, a county mine inspector was appointed in Franklin County on September 8, 1908.⁷

Provision was made in 1915 for petition by the State Inspector to the county court upon failure of the county board to appoint a suitable

1. L. 1871-72, p. 572.

2. L. 1877, p. 141, 142.

3. L. 1879, p. 208.

4. *Ibid.*, p. 209.

5. L. 1899, p. 306, 308.

6. *Ibid.*, p. 314, 315.

7. Supervisors' Record, v. D, p. 128, see ontry 2.

Mine Inspector

county mine inspector.¹ If necessary, the court will appoint an inspector, and order the county board to appropriate money for his compensation. This provision was recently reenacted.²

1. L. 1915, p. 509,510.

2. L. 1939, p. 727,728.

XX. FARM BUREAU

The Franklin County Farm Bureau was organized in March, 1919 to promote and foster the social and economic interest of persons engaged in agriculture, and to encourage, promote, and foster cooperative organizations for the mutual benefit of its members. The membership of this bureau is made up of farmers of the county. A farm advisor is employed who cooperates with the University of Illinois College of Agriculture in its program of extension education and farm studies, and works with farm leaders in establishing such organizations as 4-H clubs and Dairy Herd Improvement Associations.

In 1914, Congress inaugurated a program of agricultural extension education by providing for cooperation between the agricultural colleges in the several states and the United States Department of Agriculture.¹ The purpose of the act was to aid in diffusing useful and practical information on subjects relating to agriculture and home economics, and to encourage the application of the same. An appropriation was made to each state to carry out the act, subject to the assent by the state legislature to the provisions of the act, and provided that the state appropriate a sum equal to that given by the Federal government.² The General Assembly assented to this act by a joint resolution which authorized and empowered the trustees of the University of Illinois to receive the grants of money appropriated under the act, and to organize and conduct agricultural extension work in connection with the College of Agriculture of the University.³

The General Assembly appropriated money in 1917 for the payment of county agricultural advisors.⁴ The money was appropriated to the Department of Agriculture to be distributed equally among the several county agricultural advisors of the state to apply upon their salaries. The vouchers approved by the Department of Agriculture for payment were to be accompanied by the certificate of the agricultural college of the University of Illinois that the requirements of the act relative to the employment of county advisors had been substantially applied. In 1928, to further develop the cooperative extension system in agriculture and home economics, Congress appropriated additional sums of money, eighty percent of which was to be utilized for the payment of salaries of extension agents in counties of the several states.⁵

1. 38 U.S.Stat. 572.

2. Ibid., 573.

3. L. 1915, Joint Resolutions, p. 752.

4. L. 1917, p. 85.

5. 45 U.S.Stat. 711.

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ROSTER OF COUNTY OFFICERS*

(Date after name of officer refers to
date of commission, unless otherwise stated)

Territorial County Court

(The first county administrative body, composed of three judges,
to January 12, 1818, when it was succeeded by the
justices' court)

Isham Harrison, John Ewing,
John Crawford, January 11, 1818

Justices' Court

(The second county administrative body, composed of three or
more justices of the peace, to March, 1819, when it
was succeeded by the county commissioners'
court)

James Cochran, Isaac Perkins,
John McCreary, Isaac Herring,
January 11, 1818¹

Isham Harrison, William Hickman,
January 13, 1818²

This list was compiled from the following sources:

- A. Secretary of State. Index Department, Election Returns.
Returns from County Clerk to Secretary of State. 1809-47, 78
volumes (1-78), third tier, bay 1. 1848-- , 53 file drawers
(2-54), third tier, bay 2, State Archives Building, Springfield.
- B. Secretary of State. Executive Department.
Certificates of Qualifications. 1819-- , 22 file drawers (1-22),
fourth tier, bay 5, State Archives Building, Springfield.
- C. (1) Secretary of State. Executive Department Official Records.
List of Commissions Issued to County Officers. 1809-1918, 5 vol-
umes, fourth tier, bay 6, State Archives Building, Springfield.
(2) Secretary of State. Executive Department Official Records.
List of Commissions Issued to County Officers. 1869-- , 4 volumes,
room 208, second floor, Secretary of State's Office, Executive
Department, State Capitol Building, Springfield.

Fire, in 1843, destroyed most of the county board records from 1818
to that date. State records are incomplete to 1850. Secondary sour-
ces, also, are incomplete. For these reasons, it has not been possi-
ble to secure those names of officers missing from this roster,

1. Edward J. James, ed., The Territorial Records of Illinois, Publica-
tions of the Illinois State Historical Library, No. III, 54.
2. Ibid. State records do not show any justices serving as members of a
justices' court, and the destruction of county records leaves no clue
as to which justice may have served.

County Commissioners' Court**

(The third county administrative body, composed of three elected commissioners, to 1849 when it was succeeded by the administrative county court)

No state or county records,	1819	Abraham Rea,	
Nathan Campbell, William Speller,		October 16, 1840 ³	
Richard Contrall,	August 7, 1820	Elijah Taylor,	
Samuel R. Harrison, Arthur G. Young,		September 6, 1841 ⁴	
William Speller,	August 5, 1822	William H. Eubanks,	
Sterling Hill, Wilson Rea,		September 5, 1842 ⁵	
Abraham Irwin,	August 2, 1824	Carter Greenwood,	
Isaac Herring, Wilson Rea,		September 4, 1843 ⁶	
	August 7, 1826	Elijah Taylor,	
No state or county records,	1828	September 2, 1844 ⁷	
Dancy Odum, William Farris,		William H. Eubanks,	
	August 2, 1830	September 1, 1845 ⁸	
Dancy Odum, Jeremiah Neal,		Moses Neal,	
	August 6, 1832	September 7, 1846 ⁹	
No state or county records,		C. F. Mulkey,	
	1834, 1836	August 2, 1847	
Fredrick F. Duncan, Cyrus Campbell,		Mathew Ing,	
John Crawford,	December 3, 1838 ¹	August 7, 1848	
John Crawford, Benjamin Popo,		Lewis G. Payne,	
John Dillon,	September 3, 1839 ²	August 6, 1849 ¹⁰	

** Dates shown after commissioners' names indicate date of election, unless otherwise stated. By a law passed in 1837, the three commissioners elected in 1838 were to draw lots marked one, two, and three years to determine length of term. Thereafter, until 1849, one commissioner was to be regularly elected each year to serve a three-year term. The drawing of lots in Franklin County was not done until 1839; explanation for this delay in drawing could not be found in county board records. For length of term of officers of later county boards, see ch. I, County Board, page 97; for length of term of other officers, see separate office chapters.

1. Recorded as commissioners ([Commissioners' Record], v. D, p. 1, in Supervisors' Record, see entry 2).
2. Recorded as commissioners. Dillon drew the one-year term, Pope the three-year term; records do not show who drew the two-year term but, presumably, it was drawn by Crawford (ibid., p. 68).
3. Presented certificate of election and took oath (ibid., p. 135, 136).
4. Presented certificate of election and took oath (ibid., p. 175).
5. Presented certificate of election and took seat (ibid., p. 229).
6. Presented certificate of election and took seat (ibid., p. 282).
7. Presented certificate of election and took seat (ibid., p. 352).
8. Presented certificate of election and took seat (ibid., p. 431).
9. Presented certificate of election and took seat (ibid., v. D, p. 47).
10. Payne was not recorded as a commissioner at last meeting of county commissioners' court held September 5, 1849, the three commissioners shown at the meeting being Moses Neal, Mathew Ing, and Caleb F. Mulkey (ibid., p. 177).

Roster of County Officers

County Court

(From 1849 until institution of township government in 1872,
county business was administered by the county
judge and two associate justices act-
ing as the county board)

Andrew D. Duff, county judge,
November 15, 1849,

W. Rea, B. Scarborough,
associate justices,
December 4, 1849¹

Andrew D. Duff, county judge,
November 16, 1853,

Moses Neal, county judge,
September 4, 1856,

A. I. Ice, C. Greenwood,
associate justices,
November 22, 1853

William R. Browning, county judge,
November 15, 1857,

William J. Dillon, county judge,
March 22, 1859,

Walter S. Akin, county judge,
June 27, 1861,

Lewis G. Payne, John W. Hill,
associate justices,
November 12, 1857

John W. Hill, county judge,
December 6, 1861,

William Osteen, Lewis G. Payne,
associate justices,
November 30, 1861

William E. Smith, county judge,
November 18, 1865,

James M. Akin, Isham Harrison,
associate justices,
November 7, 1865 (elected)

Daniel M. Browning, county judge,
James M. Akin, Gilbert G. Swelni,
associate justices,
November 13, 1869

County Board of Supervisors

The several township supervisors, one elected from each township, together with any additional and assistant supervisors elected upon proportional representation, make up the membership of the county board of supervisors. Because these supervisors, severally, are township officials and only as a group constitute the county board, they are not commissioned by the state as county officers and no data concerning them, from which a list could be compiled, are kept by the state. For the same reason, county records, too, are inadequate for the compilation of a complete and accurate list of supervisors. Therefore, due to these and other limitations, only those mentioned in county board records as members of the first board of supervisors are included in this roster.

-
1. State records show only one associate justice, Benjamin W. Pope, elected for the period 1849-53, county board records show Rea and Scarborough as associate justices at first meeting of county court, and contain no mention of Pope in that capacity ([Commissioners' Record], v. D, p. 167, in Supervisors' Record, see entry 2).

On November 7, 1871, the electorate voted in favor of township organization 987 to 520.¹ Calvin M. Clark, T. K. Means, and J. W. McCreery were appointed commissioners to divide the county into townships.² Their report was filed with the county court at the March term, 1872.³ On April 22, 1872, the first board of supervisors met in special session at the courthouse in Benton, the total membership being present as follows:⁴

Supervisors	Townships
John A. Walker	Goode
Samuel McClelland	Tyrone
Caleb F. Mulkey	Six Mile
David Martin	Barren
Franklin L. Rea	Browning No. 2
William J. Murphy	Townmount
Gilbert G. Sweetin	Ewing
Isaac Ward	Benton No. 2
Mounteville Fitts	Frankfort No. 2
Peter Phillips	Northern
John H. Hogan	Eastern
Jesse G. Mitchell	Cave

Gilbert G. Sweetin was elected chairman.

Change to the board of county commissioners form of government was approved in November, 1874, and on February 1, 1875, the three members of this new board held their first meeting.⁵ On February 8, 1875, they divided the county into six election precincts: Goode, Six Mile, Ewing, Benton, Plainfield, and Franklin.⁶ Then, at the general election in November, 1875, the county voted to return to township government;⁷ on December 2, 1875, J. N. Vancil, Abner Rea, and W. J. Williams were appointed to divide the county into townships and instructed to make their report at the March (1876) meeting of the commissioners.⁸ On April 20, 1876, the newly elected board of supervisors held their first meeting, those present and township each represented being as follows:⁹

-
1. Sheriffs Certificate of Purchase, v. E, p. 439, in Supervisors' Record, see entry 2.
 2. Ibid., p. 445.
 3. Ibid., p. 467.
 4. Supervisors' Record, v. A, p. 2, see entry 2.
 5. Ibid., p. 190. For membership of first and subsequent boards, see Board of County Commissioners, this roster.
 6. Ibid., p. 191-3.
 7. Ibid., p. 268.
 8. Ibid., p. 295.
 9. Ibid., p. 320.

Roster of County Officers

Supervisors	Townships
James M. Brayfield	Goode
W. J. M. Mayer	Tyrone
S. P. Kirkpatrick	Six Mile
Lemuel Day	Ewing
Carroll Moore	Benton
John W. Williams	Frankfort
N. C. Ingram	Northern
M. B. Tyrrell	Eastern
J. M. Wier	Cave

Township organization continued until the general election in November, 1879, when the electorate voted to return to the board of county commissioners form of government by a majority of 27 votes.¹ The new commissioners held their first meeting February 2, 1880.² Finally, at the general election held on November 4, 1884, the county voted 1,735 to 1,040³ to again adopt township organization, which form of government has been retained to the present time. The first meeting of this new board of supervisors was held April 22, 1885, at Ward's and Moore's Hall in Benton, all members being present as follows:⁴

J. J. Miller	James B. Hill
W. J. Murphy	F. L. Rea
Robert Sandefur	W. A. Stewart
Daniel Bain	William Hutson
Enoch Summers	W. H. Mulkey
W. C. Sadler	F. M. Kirkpatrick

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1. Supervisors' Record, v. A, p. 565, see entry 2.
 2. Ibid., v. B, p. 3.
 3. Ibid., p. 450.
 4. Ibid., p. 467.

Board of County Commissioners

(Administration of county business was lodged with this board of three elected officers February 1, 1875, then reverted to township organization April 20, 1876, until February 2, 1880, when again this board assumed control of county administration, until April 22, 1885, on which date the county was again placed under the administration of a board of supervisors, this latter form of government continuing to the present)

John B. Maddox, Allen Dawson,
R. Richeson,¹
January 19, 1875²
James M. Aiken,
November 27, 1875
John W. Williams, John M. Darr,
James A. Durham,
January 28, 1880³
John W. Williams,
December 1, 1880

John M. Darr,
December 7, 1881
Jesse Taylor,
December 1, 1882
John Mulkey,
June 9, 1883
James J. Miller,
December 6, 1883
F. S. Lea,
December 1, 1884

County Judges

Andrew D. Duff,
November 15, 1849,
November 16, 1853
Moses Neal,
September 4, 1856
William R. Browning,
November 15, 1857
William J. Dillon,
March 22, 1859
Walter S. Alcin,
June 27, 1861
John W. Hill,
December 6, 1861
William E. Smith,
November 18, 1865

Daniel M. Browning,
November 13, 1869,
November 12, 1873,
December 1, 1877
William H. Williams,
July 4, 1879,
December 1, 1882
W. J. A. Moyers,
December 6, 1886
Robert H. Flannigan,
November 26, 1890
W. F. Dillon,
December 3, 1894
William H. Hart,
November 25, 1898

-
1. Richeson not shown in state records. Elected chairman of board at first meeting (Supervisors' Record, v. A, p. 190, see entry 2).
 2. Available records do not indicate whether members drew the one-, two-, and three-year tickets to determine length of term, according to the Constitution of 1870 (Art. X, sec. 6).
 3. Available records do not show which members drew the one-, two-, and three-year-term tickets, but the fact that Williams was re-elected in 1880 and Darr re-elected in 1881 would seem to indicate that they had drawn the one- and two-year tickets, respectively, and that, therefore, Durham had drawn the three-year ticket.

Roster of County Officers

County Judges (cont.)

James P. Looneyham,
November 19, 1902
Thomas J. Myers,
November 19, 1906
Thomas J. Layman,
November 19, 1910
Nealy Glenn,
November 23, 1914
Thomas J. Myers,
November 15, 1918

Sidney M. Ward,
November 13, 1922
Ed. Robertson,
November 16, 1926
Everett Lewis,
November 13, 1930,
November 16, 1934,
July 1, 1939¹

Judges of Probate and Probate Justices of the Peace
(In 1837 the judge of probate was succeeded by the probate justice of the peace who was in turn succeeded in 1849 by the county judge as ex officio judge of the probate court)

No state or county records, 1818-1820
John Conger,
February 12, 1821
Miller M. Hubbard,
February 6, 1822
William Farris,
January 18, 1825

Simon M. Hubbard,
January 23, 1829,
September 11, 1837,
December 11, 1839,
September 8, 1843
William A. Denning,
September 15, 1845
Samuel K. Casey,
August 27, 1846

County Clerks

(Clerks of the territorial county court, justices' court, county commissioners' court, county court, board of county commissioners, and county board of supervisors)

Richard Elliott,
January 14, 1818
Simon M. Hubbard,
February 17, 1818

No state or county records,
1819-1836
S. M. Hubbard,
August 7, 1837

1. Shown as county judge in Illinois Secretary of State, Official List of State and County Officers of Illinois, July 1, 1939, Edward J. Hughes, Secretary, p. 17; hereinafter referred to as Official List of County Officers July 1, 1939.

County Clerks (cont.)

Walter S. Akin, August 8, 1843 ¹	T. P. Harrison, December 1, 1882,
William A. Denning, August 5, 1845 ²	December 6, 1886
John Edgerley, September 1, 1845 ³	James M. Joplin, November 26, 1890
Samuel K. Casey, January 12, 1846 ⁴	James C. Stanfield, November 27, 1894
William R. Browning, August 2, 1847 (elected)	William P. Asa, June 8, 1896,
Samuel R. Harrison, November 6, 1849 (elected)	November 16, 1898
W. R. Browning, November 15, 1849	William D. Seeber, November 17, 1902,
T. I. (J). Mooneyham, November 22, 1853	November 19, 1906,
James J. Dollins, December 2, 1857	November 19, 1910,
Calvin M. Clark, November 30, 1861,	November 23, 1914
November 18, 1865,	Fred Bagley, November 20, 1918,
November 13, 1869	November 13, 1922,
Evan Fitzgerrell, November 12, 1873	November 16, 1926
Charles A. Akin, December 1, 1877	Zona Fay Pritchett, November 21, 1930
	George Hockgeiger, November 22, 1934
	Barney Clemons ⁵

Recorders

(In 1849 the circuit clerk became ex-officio recorder)

Richard Elliott, January 14, 1818	William A. Denning, September 15, 1845
Simon M. Hubbard, February 17, 1818 (No state or county	William R. Browning, August 27, 1846,
S. M. Hubbard, (records, 1819-1834	August 19, 1847
August 19, 1835,	
December 11, 1839,	
August 18, 1843	

-
1. County board records contain no mention of Walter S. Akin as clerk during this term. See footnote 2.
 2. Appointed clerk pro tem vice Hubbard, deceased, who had served as clerk, in addition to previous term, from 1837 until his death in 1845 ([Commissioners' Record], v. D, p. 430, in Supervisors' Record, see entry 2).
 3. Appeared as clerk-elect and took oath (*ibid.*, p. 432).
 4. Appointed clerk pro tem vice Edgerly, resigned (*ibid.*, p. 468).
 5. Shown as county clerk in Official List of County Officers, July 1, 1939, p. 17.

Roster of County Officers

Circuit Court Clerks

(Prior to 1848, circuit court clerks appointed by circuit judges)

W. R. Browning,
September 4, 1848 (elected)
Thomas J. Mooneyham,
November 23, 1852
Samuel B. Harrison,
November 15, 1856
Bailey W. Martin,
November 9, 1858
Calvin M. Clark,
November 15, 1860
William B. Kelly,
November 21, 1862
John A. Rodman,
December 13, 1864
John Mulkey,
November 18, 1867,
November 17, 1868
Thomas M. Mooneyham,
November 26, 1872
Robert H. Flannigan,
December 1, 1876
James F. Mason,
December 1, 1880
William F. Spiller,
November 16, 1884

W. B. Webb,
December 3, 1888
G.B. Shaw,
November 21, 1892
Horatio R. Dial,
December 7, 1896
William F. Burkitt,
March 29, 1900,
November 30, 1900
J. J. Hill,
November 25, 1904,
November 25, 1908,
November 16, 1912
F. D. Whittington,
November 27, 1916,
November 26, 1920
Mary R. Runnels,
November 26, 1924,
November 27, 1928
Barney Clemons,
November 22, 1932
John Dorris,¹
December 1, 1936

Sheriffs

(Collectors to 1839, 1844 to 1872, 1875, 1880 to 1885)

Marmaduke S. Davenport,
January 13, 1818
David W. Maxwell,
May 18, 1818,
May 13, 1819,
August 18, 1820,
October 25, 1820,
September 5, 1822
John Crawford,
September 2, 1824
John Dement,
September 1, 1826,
November 24, 1826

Warrington S. Duncan,
September 10, 1828,
September 6, 1830,
March 8, 1833
Willis Allen,
August 15, 1834,
August 29, 1836
William S. Crawford,
August 21, 1838,
August 26, 1840
Benjamin Smith,
August 20, 1841

1. Shown as Eugene Dorris in Official List of County Officers,
July 1, 1939, p. 17.

Sheriffs (cont.)

G. W. Akin,
 August 12, 1842,
 August 16, 1844,
 August 27, 1846
 Thomas J. Mansfield,
 August 17, 1848
 Thomas I (J). Moonoyham,
 March 29, 1849,
 December 3, 1850
 Lewis J. Payne,
 November 23, 1852
 William I. Mooneyham,
 November 13, 1854
 James Swofford,
 November 15, 1856
 William Mooneyham,
 November 17, 1858
 Marion D. Hogo,
 November 15, 1860
 John D. Denning,
 November 21, 1862
 Isaac Ward,
 December 13, 1864
 Marion D. Hogo,
 November 15, 1866
 William D. Denning,
 November 17, 1868
 Caroll Moore,
 December 3, 1870
 Cyrus D. Means,
 November 26, 1872
 James F. Mason,
 November 18, 1874
 James M. Akin,
 November 21, 1876

William D. Seabor,
 December 2, 1878
 William R. Jones,
 December 1, 1880,
 December 1, 1882
 John B. Moore,
 December 6, 1886
 William B. Blake,
 November 26, 1890
 R. E. Cook,
 November 24, 1894
 John B. Moore,
 November 21, 1898
 George J. Stien,
 November 17, 1902
 Thomas Adom,
 November 19, 1906
 John A. Vaughn,
 November 19, 1910
 Samuel Mint Locklar,
 November 23, 1914
 Robert S. Watkins,
 July 24, 1917,
 November 20, 1918,
 Henry Dorris,
 November 22, 1922
 James S. Pritchard,
 November 16, 1926
 Browning Robinson,
 November 25, 1930
 S. B. Vaughn,
 November 24, 1934
 Ed. Powell¹

Coroners

No state or county records, 1818
 Nelson McDowell,
 March 30, 1819
 Thomas Moore,
 August 18, 1820

Isaac Dillon,
 September 2, 1824,
 September 1, 1826,
 November 24, 1826

1. Shown as sheriff in Official List of County Officers, July 1, 1939,
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Peter Phillips,	Isham C. Taylor,
September 11, 1828	November 8, 1870 (elected),
Bailey Adams,	November 26, 1872
August 21, 1830	Henry Hudson,
William Upchurch,	November 18, 1874
September 5, 1832	Abraham N. Cook,
Martin Asbridge,	November 21, 1876
August 15, 1834	John Mulkey,
John M. Rice,	December 2, 1876
August 1, 1836 (elected)	Abraham Cook,
Henry Stuff,	November 26, 1879
August 23, 1838	J. H. Fleeman,
James C. Corder,	December 1, 1880
January 20, 1840	James J. Miller,
David Williams,	December 1, 1882
August 22, 1840,	John L. Ragland,
August 12, 1842	December 10, 1883,
Isaac Kelly,	December 1, 1884
August 4, 1844 (elected),	E. D. Palmer,
August 27, 1846	December 3, 1888
Richard Chidister,	Isham C. Taylor,
August 2, 1847 (elected)	November 25, 1892,
Mathew Robinson,	December 7, 1896
November 20, 1850	J. N. Welch,
Blakley Goodale,	November 30, 1900
July 8, 1851	Joseph M. Adams,
William F. King,	November 17, 1904
November 23, 1852	T. M. Dye,
Samuel Brashears,	November 16, 1908
November 13, 1854	C. C. Biggs,
John A. Crawford,	November 15, 1912
November 15, 1856	W. R. Browning,
John Upchurch,	December 6, 1916
November 9, 1858	James R. Retramel,
C. D. Harris,	November 22, 1920
November 15, 1860	J. R. McDutty,
Lewis Phillips,	February 25, 1924
November 21, 1862	Joe Hill,
William A. Swofford,	November 20, 1924
December 13, 1864,	D. J. Clayton,
November 30, 1866	November 27, 1928,
Francis P. Easley,	December 1, 1932,
November 17, 1868	November 23, 1936

State's Attorneys

(Appointed by the General Assembly to 1848; elected by circuit district electorate to 1872)

William W. Barr,	John A. Treece,
November 13, 1872	December 1, 1880
William J. N. Moyers,	William S. Cantrall,
November 23, 1876	November 16, 1884

State's Attorneys (cont.)

T. M. Mooneyham,
December 3, 1888
William F. Spiller,
November 21, 1892
R. H. Flannigan,
December 7, 1896
Thomas J. Myers,
November 30, 1900
William P. Seober,
November 17, 1904
G. A. Nielsen,
November 16, 1908

W. F. Spiller,
November 18, 1912
Roy C. Martin,
November 27, 1916,
November 23, 1920,
November 18, 1924
Marion M. Hart,
November 27, 1928,
November 23, 1932
Rea F. Jones,
November 20, 1936

Treasurers

(Ex officio assessors to 1839 and 1844 to 1872, 1875, 1880
to 1885; supervisors of assessments 1898 to date; col-
lectors 1872 to 1875, 1876 to 1880, and 1885 to date)

No state or county records, 1818-1836

John B. Maddox,
August 7, 1837 (elected)

J. T. Knox,
September 16, 1839¹

Thomas J. Mansfield,
December 7, 1841²

William R. Browning,
August 8, 1843 (elected)

Thomas J. Mooneyham,
August 22, 1845³

T. J. Mansfield,
August 2, 1847 (elected)

W. H. Eubanks,
November 6, 1849 (elected)

L. G. Payne,
November -, 1851 (elected)

James Swofford,
November 2, 1852 (elected)

Milton C. Taylor,
December 2, 1857,
November 16, 1859,
November 5, 1861 (elected),
November 9, 1863

John Mulkey,
November 7, 1865 (elected)

Joshua M. Vancil,
November 5, 1867 (elected),
November 2, 1869 "

John W. Hill,
November 7, 1871 (elected),
March 6, 1872

Theopolis W. Sweet,
December 1, 1873,
November 27, 1875

-
1. Bond as treasurer approved ([Commissioners' Record], v. D, p. 75, in Supervisors' Record, see entry 2).
 2. Appointed treasurer; bond accepted (*ibid.*, p. 198).
 3. Recorded at meeting held March 3, 1846, as having entered upon duties of treasurer on date indicated (*ibid.*, v. not lettered [1846-50], p. 4).

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Treasurers (cont.)

Alexander C. Statcup,	John A. McClintock,
December 1, 1877,	November 19, 1910
December 1, 1879	Q. E. Burgess,
S. W. Swain,	November 23, 1914
December 1, 1882	John A. McClintock,
Joseph A. Dollins,	November 20, 1918
December 1, 1884,	Ona M. Kirk,
November 2, 1886	November 22, 1922
Thomas M. Webb,	Wallie E. Akin,
November 26, 1890	November 19, 1926
N. R. Browning,	Miles Allen,
December 23, 1894	November 25, 1930
Joseph A. Dollins,	Byron H. Fuller,
November 21, 1898	December 4, 1934
W. R. Browning,	S. B. Vaughn ¹
November 21, 1902	
Q. E. Burgess,	
November 19, 1906	

Superintendents of Schools
(School commissioners to 1865)

No state or county records, 1818-1838	Robert R. Link,
S. M. Mitchell,	November 7, 1865 (elected),
September 17, 1839 ²	November 2, 1869 "
Samuel Harrison,	George C. Ross,
August 8, 1843 ³	November 4, 1873 (elected)
L. G. Payne,	Hiram Doty,
August 2, 1847,	November 7, 1876
November -, 1851	Charles D. Threlkeld,
Peter Philips,	December 1, 1877,
January 17, 1854	December 1, 1882,
John Ward,	December 6, 1886
November 3, 1857 (elected),	Wilford F. Dillon,
November 16, 1859,	November 26, 1890
November 5, 1861 (elected),	Hiram M. Aiken,
November 9, 1863	November 24, 1894

-
1. Shown as treasurer in Official list of County Officers, July 1, 1939, p. 17.
 2. Recorded as school commissioner ([Commissioners' Record], v. D, p. 79, in Supervisors' Record, see entry 2).
 3. Recorded as Lemuel R. Harrison (ibid., p. 289).

Superintendents of Schools (cont.)

William S. Bunton,	H. Clay Ing,
November 21, 1898	November 27, 1914,
Hiram M. Aiken,	November 26, 1918
November 21, 1902	Elmer B. Swofford,
Offa Neal,	November 22, 1922,
November 19, 1906	November 23, 1926,
Cornelius W. Mundell,	November 21, 1930,
November 19, 1910	July 31, 1935
	George Hughes, ¹

Surveyors

(Beginning September, 1936, surveyor appointed by county board of supervisors)

Isham Harrison,	Elijah T. Webb,
January 13, 1818	November 13, 1851
John Ewing,	C. M. Clark,
February 13, 1821	November 23, 1855,
John M. Shultz,	December 2, 1857,
June 20, 1825	November 16, 1859
Andrew W. Harrison,	G. DeWitt,
February 2, 1827	November 15, 1860
John Ewing,	Elijah T. Webb,
October 21, 1829,	November 5, 1861 (elected),
July 25, 1831	November 9, 1863,
John Taylor,	January 25, 1866,
December 22, 1831	December 6, 1867,
Walter B. Scateso,	November 13, 1869,
February 2, 1833	November 16, 1871
Lewis F. Cully,	Wilson Whittington,
August 19, 1835	November 13, 1875,
Henry W. Perry,	December 1, 1879
October 2, 1838,	D. R. Spilman,
December 11, 1839	December 6, 1883,
Samuel R. Harrison,	November 4, 1884
January 20, 1840,	Philip Luger,
August 18, 1843,	December 3, 1888,
August 19, 1847	December 23, 1892
Lewis G. Payne,	Charles W. Stilley,
November 6, 1849 (elected)	December 7, 1896,
	November 30, 1900

1. Shown as superintendent in Official List of County Officers,
July 1, 1939, p. 17.

Roster of County Officers

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Henry Moore,
November 17, 1904,
November 3, 1908 (elected)
Curtis E. Smith,
November 5, 1912 (elected)
S. M. Neal,
November 7, 1916 (elected)
Herbert McCullum,
November 2, 1920 (elected)

Geoffrey Smith,
November 4, 1924 (elected)
N. Y. Alvis,
November 6, 1928 (elected)
Curtis E. Smith,
November 8, 1932 (elected),
July 1, 1939¹

1. Shown as surveyor in Official List of County Officers, July 1, 1939,
p. 17.

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